

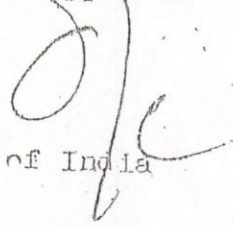
No. 11(3)/92/D(Civ-II)  
Government of India  
Ministry of Defence  
New Delhi, dt. the 10 Feb, 93

284

OFFICE MEMORANDUM

Subject: LEAVE RULES FOR CIVILIAN INDUSTRIAL EMPLOYEES PAID FROM THE DEFENCE SERVICES ESTIMATES.

The undersigned is directed to state that a need has been felt for some time past for consolidating the orders/instructions on the above subject issued by this Ministry from time to time. Accordingly, the previous orders/instructions relating to the "Civilians in Defence Services (Industrial Employees) Leave Rules" have been consolidated as in Appendix to this Office Memorandum.

  
(P.P. SETHI)  
Under Secretary to the Government of India

To

- The Chief of the Army Staff
- The Chief of the Naval Staff
- The Chief of the Air Staff
- The Director General of Inspection
- The Member Personnel of Ordnance Factory Board Calcutta.
- The Director General Defence Estates.
- The Director National Cadet Corps.
- The Director General, Armed Forces Medical Services.
- The Director, Public Relations.
- The Scientific Adviser.
- The Director, Technical Dev. & Production (Air)

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signed in ink to: All Controllers' of Defence Accounts

~~Handwritten signatures and scribbles at the bottom of the page.~~



Appendix to Ministry of Defence Office Memorandum  
No. 11(3)/92/D(Civ-II) dated 10th February, 1993

LEAVE RULES FOR CIVILIAN INDUSTRIAL EMPLOYEES PAID  
FROM THE DEFENCE SERVICES ESTIMATES

These Rules may be called the Civilians in Defence Services (Industrial Employees) Leave Rules 1954.

2. These rules shall apply to all Civilian Personnel paid from Defence Services Estimates including those employed in the DGF's Organisation who are classified as Industrial employees.
3. These rules shall take effect from the 1st July 1954.
4. In these Rules :
  - (a) "total service" means total continuous service rendered upto the date preceding that from which leave is taken and will include the periods of leave (including the period(s) of Extra Ordinary Leave without pay) taken during the period. The Technical discharge of an Industrial employee on the 31st, March each year while he was in ETE is to be ignored for the purpose of determining the total service for so long as there was no actual break in his/her service.
  - (b) "pay" or "full pay" means : -
    - i) in the case of "Day Workers" the monthly rate of pay (including personal pay, if any) and
    - ii) in the case of piece workers the assigned monthly rate including personal pay, if any.
- Note 1. Pay for the purpose of leave allowance should be pay as on the date preceding that on which leave commences.
- Note 2. Leave pay will not include piece work profit and/or overtime pay.
5. Leave cannot be claimed as a right. Discretion is reserved to the authority empowered to grant leave, to refuse or revoke leave at any time according to the exigencies of service.



Leave on full pay is admissible to an industrial employee as follows :-

	Length of total service	Amount of leave in a calendar year.
a)	Less than one year service	No leave
b)	1 to 10 years continuous service	17 days
c)	above 10 to 20 years continuous service	22 days
d)	more than 20 years continuous service	27 days

*Accumulation  
Encashment  
upto 60 days*

Note : Industrial employees shall also be entitled to encashment of leave upto 60 days only although they are entitled to maximum of accumulation of leave upto 120 days.

Authority : Ministry of Defence O.M. No. 11(10)/73/D(Civ-II) dated 10 Feb, 1981 and O.M. No. 11(6)/91/D(Civ-II) dated 16 Jan, 92 and 2 June 92.

7. Inoculation Leave : Leave on full pay for inoculation owing to the prevalence of plague may be granted upto 2 days on any one occasion.

8. Final Leave : Full pay leave admissible under Rule 6 above may be granted on termination of appointment subject to the terms and conditions laid down in Annexure - A to this appendix.

Note: In addition to the full pay leave admissible under this rule leave salary under Section 79(3) of the Factories Act, 1948 will also be admissible to all those industrial employees who are "workers" under the Factories Act, 1948.

9. Deleted vide Ministry of Defence Corrigendum No. 11(2)/86/D(Civ-II) dated 10 June 88.

10. Deleted vide Ministry of Defence O.M. No. 11(3)/91/D(Civ-II) dated 15.5.1991.

11.  
12.  
13.

\* Omitted consequent to deletion of Rule 10 for Segregation leave.



SECTION-II

Leave on  
half pay

- \*14. (a) Half Pay Leave will be admissible at the rate of 20 days per year on completion of each year's service.
- (b) Half Pay Leave can be accumulated at the rate of 20 days per year without limit.
- (c) Half Pay Leave may be commuted without any ceiling subject to production of medical certificate. In that case twice the amount of such leave shall be debited against the half pay leave due.
- (d) Half pay leave may be availed without any restriction.

During the leave on half pay, an employee will be paid Leave salary at half the rate of pay drawn immediately before proceeding on leave.

2. The Industrial employees who have completed a year's service during the calendar year beginning from 1.1.1984, shall be entitled to half pay leave with effect from 1.1.1985 in accordance with the entitlement referred to above.

3. They will also be entitled to advance credit of half pay leave in two instalments and 10 days each on the first day of January and July of every calendar year as per procedure laid down in Rule 29 of the Central Civil Services (Leave) Rules 1972 as amended from time to time. The advance credit will be admissible with effect from 1st January 1986".

\*(Substituted vide M of D. Corrg. No. 11(2)/86/D(Civ-II)  
dt. 10.6.88)



SECTION-III

- Maternity Leave 15. (1) A female Govt. servant (including an apprentice) with less than two surviving children may be granted maternity leave by an authority competent to grant leave for a period of 90 days from the date of its commencement.
- (2) During such period she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.

Note. 1. Maternity leave under this rule may also be granted in case of miscarriage including abortion (abortion induced under the Medical Termination of Pregnancy Act, 1971, should also be considered as a case of abortion) subject to the condition namely (Inserted vide Min. of Def. OM No. MF(L)/2177/3458/D(Civ-II), dated the 20th June 1980).

- i) that female Govt. servant if temporary, has been in continuous services for not less than one year before the commencement of the leave; and
- ii) that the leave does not exceed six weeks and the application for the leave is supported by a certificate from an Authorised Medical Attendant or a Registered Medical Practitioner.

Note. 2. The restriction/liberalization that are issued in respect of non-industrial employees for maternity leave will apply to industrial employees also mutatis mutandis.

( Authority M of D OM No. 11(1)/90/D(Civ-II)  
dt. 5.10.90)

Extra-ordinary  
Leave 16.

- i) Industrial employees may be granted extra-ordinary leave without pay at the discretion of the sanctioning authority in special circumstances:-
- a) When no other leave is by rule admissible, or
- b) when other leave is admissible but the employee concerned applied in writing for the grant of extra-ordinary leave.
- ii) except in the case of an employee in permanent employment, the duration of extra-ordinary leave on any one occasion shall not exceed the following limits :-
- a) three months

....6/-



- b) six months, in cases where a Government servant has completed one year continuous service on the expiry of leave of the kind due and admissible under the rules and his request for such leave is supported by a medical certificate as required under the rules.
  - c) twenty-four months where the leave is required for the purposes of prosecuting studies certified to be in the public interest, provided the Govt. servant concerned has completed three years continuous service on the date of expiry of leave of the kind due and admissible under rules.
- iii) the authority empowered to grant leave may commute retrospectively :-
- a) period of absence without leave into extra-ordinary leave.
  - b) extra-ordinary leave granted into leave of a different kind if the latter type of leave was admissible at the time extra-ordinary leave was granted.

All leave except extra-ordinary leave taken otherwise on Medical Certificate as admissible to an industrial employee permanent or temporary shall count for increment in the post in which he was working at the time of proceeding on such leave, provided it is certified that he would have continued to hold the post but for going on leave.

(Government of India, Ministry of Defence Memo. No. 81134/4/Org/(Civ)(d)/10615/D(Civ-I) dt. the 24th Oct, 19

15A (a) No Industrial employee other than permanent shall be granted leave of any kind for a continuous period exceeding five years.

(b) Where a permanent industrial employee does not resume duty after remaining on leave for a continuous period of five years or where a permanent industrial employee after the expiry of his leave, remains absent from duty otherwise than on foreign service or on account of suspension for any period which together with a period of leave granted to him exceeds five years shall unless the President in view of the exceptional circumstances of the case otherwise determines, be removed from service after following the procedure laid down in the CCS(CC&A) Rules,



17. An industrial employee other than permanent who contracts pulmonary tuberculosis and undergoes treatment in a recognised sanatorium or who is suffering from tuberculosis of any other part of the body and undergoes treatment under qualified T.B. specialist or a civil surgeon or a Commissioner Medical Officer of equivalent status, or who is suffering from leprosy and undergoes treatment in a recognised leprosy institution or under a Civil Surgeon or a Commissioner Medical Officer of equivalent status or a specialist in leprosy recognised as such by the State Administrative Medical Officer concerned may be granted extra-ordinary leave without pay upto a maximum period of 18 months including 3 or 6 months extra-ordinary leave authorised under rule 16 (ii) (a) and (b) above on any one occasion, subject to the following conditions :-

- i) he has rendered continuous service for a period exceeding one year ;
- ii) the post from which he proceeds on leave is likely to last till he returns to duty;
- i ii) the extra-ordinary leave shall be granted subject to the production of a certificate from the Medical Officer-in-Charge of the Sanatorium or a qualified T.B. specialist or a civil Surgeon or Commissioner Medical Officer of equivalent status or specialist in leprosy as the case may be, specifying the period for which leave is recommended, and.
- iv) the Medical Officer recommending leave shall bear in mind the conditions as given in Annexure 'C' to this appendix.

Note:

The concession of extra ordinary leave upto eighteen months will be admissible also to a Govt. servant suffering from pulmonary tuberculosis who receives treatment at his residence under a Tuberculosis/Leprosy specialist recognised as such by the State Administrative Medical Officer concerned and produces a certificate signed by the specialist to the effect that he is under his treatment and that he has reasonable chances of recovery on the leave recommended, ..

18. Unless the President in view of the exceptional circumstances of the case otherwise, determines no Government servant shall be granted leave of any kind for a continuous period exceeding five years.



SECTION V

Hospital Leave 19. Hospital Leave in terms of the provisions contained in Rule 46 of the CCS(Leave) Rules 1972 will be admissible.

(Govt. of India, Min. of Def. Corrigendum No. F. 11(6)/87/7860/D(Civ-II) dt. the 18th Aug, 19

SECTION VI

20. Casual Leave (12 days) Casual leave on full pay may be granted upto (8 days) holidays falling in between the period of leave will not be taken into account for calculating the period of casual leave availed of.

Note : This leave cannot be accumulated. Un-utilised leave in any particular calendar year lapses on the 31st Dec., of that year.

(Authority M. of D O.M. No. 11(2)/86/D(Civ-II) Dt. 15.5.90)

SECTION- VII

21. Combination of Leave Leave admissible under rules 6,7,14,16,17 and 19 above may be taken in combination with or in continuation of leave admissible under one or more of these rules. Leave under Rule 20 cannot be taken in combination with or in continuation of leave.

Leave of any kind excepting casual leave may be granted in continuation of maternity leave, if a request for grant is supported by a medical certificate.

to be omitted in view of M of D O.M. dt. 5.10.90 mentioned as Note 2 under Rule 15 above



ANNEXURE 'A'

(Grant of leave on termination of appointment (Refers to Rule 8)  
OF

Full pay leave to the extent due and admissible can be granted at the discretion of the sanctioning authority on the termination of service on account of retrenchment or abolition of the posts or in the case of resignations due to ill-health or other compelling circumstances, beyond an individual's control, subject in each case to the condition that the leave does not extend beyond the date of superannuation. In all cases, however, where any notice of termination of service is necessary the leave should be so granted as to cover the notice period, as far as possible. It is necessary to extend the temporary post to cover the period of leave granted to a Government servant at the end of his temporary employment.

2. The above provision is not applicable to apprentices and persons in non-continuous employment.

3. Terminal leave will not be admissible in the following circumstances :-

- i) Where the employee concerned has been dismissed or removed from service; (This rule will not apply to persons whose services may have to be dispensed with as a matter of administrative convenience, an alternative to the initiation of disciplinary proceedings against them), or
- ii) Where the employee concerned resigns his post of his own volition.

4. In cases of resignation which is not due to reason of ill health or other reasons beyond the individual's control, sanctioning authority may on his discretion allow half the amount of full pay leave which the Government servant concerned can avail of at a time.

ANNEXURE 'B'

General instructions regarding admissibility of medical certificates granted by Medical practitioners for the purposes of granting leave on medical certificate and admitting to duty on return from such leave (Rule 14) :-



practitioner i.e. by registered Vaid, Hakim or Homeopathic medical Homeopaths will also be accepted provided that such certificates are accepted for the relevant purpose, in respect of its own employees, by the Government or the State in which the Central Government servant falls ill or to which he proceed for treatment.

- iii) For the purpose of sub-clause (i) and (ii) medical certificates from registered medical practitioners may be accepted irrespective of whether they are in Hindi or in English so long as they are in the prescribed forms.
- iv) The leave sanctioning authority may in its discretion either altogether waive the requirements of medical certificate from a vaid, Hakim or Homeopath in cases of application for leave on grounds of sickness for periods not exceeding 3 days at a time, such leave should not however, be treated as leave on medical certificate and shall be debited against the leave other than leave on medical grounds.

#### ANNEXURE 'C'

(Conditions subject to which extra-ordinary leave can be granted Rule 16 and 17)

Medical officers are debarred from recommending the grant of sick leave in any case in which there appears to be no reasonable prospect that the individual is permanently unfit for service under Government should be recorded in the MC.

Note :

Leave should not necessarily be refused to an individual when the Medical authority has reported that there is no reasonable prospect of his ever being fit to return to duty but may be granted after careful and special consideration of the case. The following procedure should be carefully observed in dealing with such cases. If the medical authority is unable to say with certainty that the individual will never be fit for service again, it would be reasonable to grant to him a



a short period of leave, not exceeding twelve months in the first instance if admissible under the rules applicable to him. If however, the individual is declared to be completely and permanently incapacitated for further service, there is ordinarily no alternative but to invalid him from service either at the expiration of the leave already granted to him if he is on leave at the date of his appearance before the Medical authority or if he is not on leave, then from the date of the authority's report.

ANNEXURE 'D'

Leave entitlement of an industrial employee who is superannuated or dies or discharged on medical grounds while in service during the course of a calendar year.

In such cases, the employee, or his heir or nominee as the case may be, shall be entitled to wages in lieu of the quantum of leave to which he was entitled immediately before his superannuation or death or discharge on medical grounds calculated proportionately for the period of service rendered by him during that calendar year subject to the over all maximum limit of accumulation upto 60 days.

Industrial employees shall also be eligible for encashment of Earned leave at their credit on voluntary retirement subject to the ceiling of 60 days.

(Authority Min. of Def. Addendum No. 11(1)/82/D(Civ-II), dt. the 20th July, 1982 and corrigendum No. 11(1)/82/D(Civ-II) dt. the 30th Nov, 1983 and Min. of Def. OM No. 11(3)/89/D(Civ-II) dt. 2.4.1990).

..... 12/-



ANNEXURE 'E'

- (a) Transfer from a post governed by these Rules to a post governed by CCS(Leave) Rules 1972, vice versa.

Unless it be otherwise provided in these rules, a permanent Government servant to whom these rules do not apply -

- (a) when transferred temporarily to a service or post to which these rules apply, shall remain subject to the leave rules which were applicable to him before such transfer and

(Provided that where a military officer not in permanent civil employ has elected to draw civil rates of pay, his leave shall be regulated as per the provisions under these rules.

Provided further that in the event of his release/discharge from the Armed Forces, he shall carry forward the annual leave due to him with effect from the date of such release/discharge).

- (b) when appointed substantively to a permanent post to which these rules apply, shall become subject to these rules from the date of such appointment, in which case the leave at his credit under the rules previously applicable to him shall be carried forward subject to the maximum limits of accumulation as laid down in Rule 26 of CCS(Leave) Rules 1972. The leave so carried forward shall first be exhausted before the leave earned under these rules is availed of. The leave salary in respect of the leave carried forward shall be borne by the Department or the Government from which the Government servant is transferred.

Provided that in the case of military officer half-pay leave equal to the number of days of furlough shall also be carried forward in addition to the earned leave equal to the number of days of annual leave on the date he is so appointed, it would be permissible to grant him under the leave rules of the Armed Forces.



(b) Transfer to industrial establishment.

If a Government servant governed by the CCS (Leave) Rules, 1972 is appointed in an industrial establishment wherein his leave terms are governed by these Rules, the authority competent to grant leave shall suo motu issue an order granting cash equivalent of leave salary in respect of earned leave at his credit subject to a maximum of (240) (260) days and also in respect of all the half-pay leave at his credit. The cash so granted shall be a sum equal to the leave salary as admissible for earned leave and or leave salary as admissible for half-pay leave plus dearness allowance admissible on that leave salary at the rates in force on the date the Government servant ceases to be governed by the provision of the Central Civil Services (Leave) Rules, 1972. From the leave salary paid for the period of half-pay leave, if any, for which the cash is payable, deductions shall be made equal to the pension, which he would have got had he retired from service on that date and pension equivalent of other retirement benefits and ad-hoc relief/graded relief on pension. If the leave salary for the half-pay leave component falls short of the deemed pension and other pensionary benefits, cash equivalent of half-pay leave cannot be granted.

Provided that the earned leave and the half-pay leave so granted does not exceed the period between the date on which he is appointed in an industrial establishment and the date on which he would have retired in the normal course after attaining the age prescribed for retirement under the terms and conditions governing his service;

Provided further that in the event of his return to a post or service to which the Central Civil Services (Leave) Rules, 1972, apply, the benefit of compensation against the terminal leave under Rule 39 will be modified as under

- (a) On superannuation; - Encashment of un-utilised earned leave on that date will be subject to the condition that the number of days of earned leave for which encashment has already been allowed under this rule and the number of days of earned leave to be encashed on superannuation does not exceed (240) days. Cash equivalent of half-pay leave already made under this rule shall be recovered.

(300)



(b) On premature retirement, - Cash equivalent of unutilised earned leave and half-pay leave applied for by way of terminal leave under Rule 39 would be subject to the condition that the number of days of earned leave for which the encashment had already been allowed under this rule and the number of days of earned leave applied for as terminal leave do not exceed (240) days. Deduction of pension and pension equivalent of other retirement benefits shall be made from the cash equivalent in lieu of half-pay leave component of terminal leave.

Provided that the earned leave and the half-pay leave so granted together with the earned leave and half-pay leave for which cash equivalent of leave salary was granted to him on the earlier occasion does not exceed the period between the date from which he is to retire prematurely and the date on which he would have retired in the normal course after attaining the age prescribed for retirement under the terms and conditions governing his service.

(Authority: M of D O.M. No. 11(3)/86/7042/  
D(Civ-II) dt. 25.1.88.

M.S.  
4.2.93



F.No.11(1)/95/D(Civ.II)  
Government of India  
Ministry of Defence  
New Delhi, the 5th May, 95.

CORRIGENDUM

The following amendments may be made to this Ministry letter No.11(3)/92/D(Civ.II) dated 10.2.93 relating to Leave Rules for Civilian Industrial employees paid from the Defence Service Estimates:-

- (i) Add the following as Note 2 below the existing Note of Rule 6 as under:-

Note 2 "Provided that if in any year an employee is not in service for the whole year, his entitlement to leave with respect to that year shall be in proportion to the period of his service in that year."

Illustration:-

- 1 "Supposing an industrial employee is appointed on 1.2.90. Leave due to him could be credited to his account for the period of service from 1.2.90 to 1.2.91 and proportionately for the period of service from 1.2.91 to 31.12.91 on 1.1.92."

(Authority: DOPT OM No.12012/5/86-Estt. (L) dt 9th January, 1992) & DOPT U.O. Dy No.1082/Estt.(L)/94/ dt 22.12.94 & CGDA UO No. AT-II/2188-XX(PC) dt.16.3.95).

- (ii) Add the following as Note 3 below the existing Rule 6 as under:

Note-3 "No deduction on account of EOL availed by an Industrial Employee governed by CDS(IE) Leave Rules is to be made from his leave entitlement on full pay".

(Authority: DOPT UO Dy No.132/Estt(L)/95 dt.10.3.95)

- (iii) Add the following as Note below rule 14:-

"Provided that if in any year an employee is not in service for the whole year, his entitlement to leave with respect to that year shall be in proportion to the period of his service in that year."

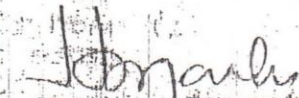
(Authority: DOPT OM No.12012/5/86-Estt.(L) dt.9th January, 1992) & DOPT U.O. Dy No.1082/Estt(L)/94 dt.22.12.94.

- (iv) Existing Annexure 'E' may be substituted by the enclosed Annexure 'E'.



2. (ii) The orders will take effect from 1.1.91 in respect of (i), & (iii) above and in respect of (ii) & (iv) above the orders will take effect from the date of issue of this Corrigendum.

3. This issues with the concurrence of DOPT vide their GO No. 1082/Estt. (I)/94/ dt. 22.12.94, 14026/1/94- Estt(I) dt. 2.10.94 and U.O. By No. 132/Estt(I)/95 dt. 10.1.95 and Min of Defence (Fin/AG) vide their ID No. 306/ac/95 dt. 2.5.95.



( H R Joshi )

Under Secretary to the Govt of India

To

The Chief of the Army Staff  
The Chief of the Naval Staff  
The Chief of the Air Staff  
The DGQA, The DGO, SA to RM

Copy to:-

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ANNEXURE 'E'

- I. Transfer from a non-Industrial post to a post governed by these Rules.

Unless it be otherwise provided in these rules, a permanent Government servant to whom these rules do not apply -

- (a) When transferred temporarily to a service or post to which these rules apply, shall remain subject to the leave rules which were applicable to him before such transfer and

(Provided that where a military officer not in permanent civil employ has elected to draw civil rates of pay, his leave shall be regulated as per the provisions under these rules:

Provided further that in the event of his release/discharge from the Armed Forces, he shall carry forward the annual leave due to him with effect from the date of such release/discharge).

- (b) when appointed substantively to a permanent post to which these rules apply, shall become subject to these rules from the date of such appointment, in which case the leave at his credit under the rules previously applicable to him shall be carried forward subject to the maximum limits of accumulation as laid down in Rule 26 of CCS (Leave) Rules 1972. The leave so carried forward shall first be exhausted before the leave earned under these rules is availed of. The leave salary in respect of the leave carried forward shall be borne by the Department or the Government from which the Government servant is transferred.

Provided that in the case of military officer half-pay leave equal to the number of days of furlough shall also be carried forward in addition to the earned leave equal to the number of days of annual leave on the date he is so appointed, it would be permissible to grant him under the leave rules of the Armed Forces.



II. Transfer from a post governed by CCS Leave Rules to Industrial Establishments governed by these Rules.

If a Government servant governed by the CCS (Leave) Rules, 1972 is appointed in an industrial establishment wherein his leave terms are governed by these Rules, the authority competent to grant leave shall *sup motu* issue an order granting cash equivalent of leave salary in respect of earned leave at his credit subject to a maximum of (240) days and also in respect of all the half-pay leave at his credit. The cash so granted shall be a sum equal to the leave salary as admissible for earned leave and or leave salary as admissible for half-pay leave plus dearness allowance admissible on that leave salary at the rates in force on the date the Government servant ceases to be governed by the provision of the Central Civil Services (Leave) Rules, 1972. From the leave salary paid for the period of half-pay leave, if any, for which the cash is payable, deductions shall be made equal to the pension, which he would have got had he retired from service on that date and pension equivalent of other retirement benefits and ad-hoc relief/graded relief on pension. If the leave salary for the half-pay leave component falls short of the deemed pension and other pensionary benefits, cash equivalent of half-pay leave cannot be granted.

Provided that the earned leave and the half-pay leave so granted does not exceed the period between the date on which he is appointed in an industrial establishment and the date on which he would have retired in the normal course after attaining the age prescribed for retirement under the terms and conditions governing his service:

Provided further that in the event of his return to a post or service to which the Central Civil Services (Leave) Rules, 1972, apply, the benefit of compensation against the terminal leave under Rule 39 will be modified as under

- (a) On superannuation:- Encashment of unutilised earned leave on that date will be subject to the condition that the number of days of earned leave for which encashment has already been allowed under this rule and the number of days of earned leave to be encashed on superannuation does not exceed (240) days. Cash equivalent of half-pay leave already made under this rule shall be recovered.
- (b) On premature retirement:- Cash equivalent of unutilised earned leave and half-pay leave applied for by way of terminal leave under Rule 39 would be subject to the condition that the number of days of earned leave for which the encashment had already been allowed under this rule and the number of days of earned leave applied for as terminal leave does not exceed (240) days. Deduction of pension and pension equivalent of other retirement benefits shall be made from the cash equivalent *in lieu* of half-pay leave component of terminal leave.



Provided that the earned leave and the half-pay leave so granted together with the earned leave and half-pay leave for which cash equivalent of leave salary was granted to him on the earlier occasion does not exceed the period between the date from which he is to retire prematurely and the date on which he would have retired in the normal course after attaining the age prescribed for retirement under the terms and conditions governing his service.

(Authority: M of D OM No.11(3)/86/7042/D(Civ-II)  
dt.25.1.88)

III. Transfer from a post governed by CDS(IE) leave rules to a service or post to which these Rules do not apply.

Subject to the provisions of Rule 6 and 14 of CCS(IE) Leave Rules, when an employee in an Industrial Establishment to whom these Rules apply, on appointment/Transfer/promotion etc is appointed to a post on the Non-Industrial Establishment he may, be allowed to carry forward the balance of leave, which includes both Earned Leave and Half Pay Leave, at his credit on the date of such appointment/Transfer/promotion etc.\* The leave so carried forward shall first be exhausted before the leave earned for service in non-industrial establishment is availed of. Leave salary for the period of leave carried forward shall be as would have been admissible had he taken the leave on the industrial establishment. A separate account of leave so carried forward shall be maintained in a subsidiary leave account.

Authority: (i) MOD OM No.PC 23(23)/52/3206/L/D(Apptts)  
dt. 22.11.54

(ii) DOPT UC No.14026/1/94-Estt(C) dated 3.10.94  
and MOD (Fin/AG) note Nos,32 & 33 dt.4.10.94  
recorded on F.No.11(1)/94-D(Civ.II)

\* under the rules applicable to industrial employees.



No.11(1)/2001/D(Civ-II)  
Government of India,  
Ministry of Defence,

New Delhi, the 25th July, 2005.

**CORRIGENDUM**

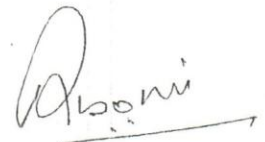
Reference MOD Corrigendum No.11(1)/95/D(Civ-II) dated 05.05.1995, relating to Leave Rules for Civilian Industrial employees paid from the Defence Service Estimates. The Note-2, Illustration and Authority of para 1 of the Corrigendum No.11(1)/95/D(Civ-II) dated 05.05.1995 is amended as follows w.e.f. the date of issue:-

*"Note 2 : provided that if in any year an employee is not in service for the whole year, his entitlement to leave with respect to that year shall be in proportion to the period of his service in that year and is to be credited on the first January of the subsequent calendar year.*

*Illustration : Supposing an industrial employee is appointed on 01.07.2002, Leave due to him can be credited to his account for the period of service from 01.07.2002 to 31.12.2002 proportionately on 01.01.2003. That is for an employee appointed on 01.07.2002, 15 days earned leave can be credited to his account on 01.01.2003."*

[Authority : Ministry of Labour U.O. No.S-25025/7/2002-ISH-II dated 31.03.2005]

2. This issues with the concurrence of Ministry of Finance (AG/PB) vide their U.O. No.257/PB/2005 dated 19.07.2005.



( R.B. JOSHI )

Under Secretary to the Government of India

To

The Chief of Army Staff

The Chief of Naval Staff

The Chief of Air Staff