

LEAVE RULES
IREC Vol.-I (1995)
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Rule 501 to 557

Railway servants are entitled for different kinds of leave which is governed by the Railway Servant (Liberalised Leave) Rules-1949.

Extent of application

[Rule 502]

These rules shall apply to (i) Railway Servants appointed on or after 01.02.1949 (ii) Railway Servants appointed prior to 01.02.1949 who have elect to be governed by these rules. (iii) Others who are brought under these rules by special order.

Right of leave

[Rule 503]

Leave cannot be claimed as a right. It may be refused or revoked by the authority competent to grant such leave.

Effect of dismissal, removal or resignation on leave at credit

[Rule 504]

Except as provided in rule 541 and this rule, any claim to leave to the credit of a railway servant, who is dismissed or removed or who resigns from railway service ceases from the date of such dismissal or removal or resignation.

Break in Service due to strike – Strikes may be divided into two categories :-

- (a) Legal strikes, i.e. those which have been called after complying with the provisions of the Industrial Disputes Act, 1947 and
- (b) Illegal strikes, i.e. those in which the preliminaries to the calling of a legal strike have not been observed

Strike falling under (a) above do not constitute a break in service and it would be appropriate for the Railway Administrations to treat the period of absence as leave with or without allowances as the case may be without reference to the Railway Board.

In case of illegal strikes, however, the absence of the employees concerned is tantamount to a break in service and cannot be condoned without the sanction of the President.

Conversion of one kind of leave into another

[Rule 505]

It shall not be open to alter the kind of leave applied by employee. It can be altered at the written request of employee within 30 days from the date employee joins duty.

[RBE 29/98]

Commencement and end of leave

[Rule 506]

Leave ordinarily begins on the day on which transfer of charge is effected and ends on the day preceding that in which charge is resumed.

Combination of different kinds of leave

[Rule 507]

Except as proved otherwise under leave rule any kind of leave may be granted in combination with any other kind of leave.

Combination of holidays with leave

[Rule 508]

When the date immediately preceding the day on which a railway servant's leave begins or immediately following the day on which his leave expires is a holiday or one of a series of holidays, the railway servant may leave his station at the close of the day before, or return to it on the day following such holidays.

Employment during leave

[Rule 509]

A Railway servant on leave may not take any service or accept any employment without obtaining the previous sanction of –

- (a) the President if the proposed service or employment is outside India; and
- (b) the authority empowered to appoint him, if in India.

This does not apply to casual literacy work, or to service as an examiner or similar employment nor does it apply to acceptance of foreign service with the sanction of the competent authority.

Maximum amount of continuous leave

[Rule 510]

Unless the President in view of exceptional circumstances, no Railway Servant shall be granted leave of any kind for continuous period exceeding five years.

Application for leave**[Rule 511]**

An application for leave or for extension of leave shall be made to the authority competent to grant such leave or extension in the prescribed form.

Grant of leave – Priority of claims to leave**[Rule 512]**

In case where all applications for leave cannot, in the interest of the public service, be granted, an authority competent to grant should, in deciding which applications should be granted, take into account the following considerations :-

- a. The railway servants who can, for the time being best be spared.
- b. The amount of leave due to the various applicants.
- c. The amount and character of the service rendered by each applicant since he last returned from leave.
- d. The fact that any such applicant was compulsorily recalled from his last leave
- e. The fact that any such applicant has been refused leave in the public interest.

Leave Account**[Rule 513]**

A leave account shall be maintained in the prescribed forms for each railway servant by the Accounts Officer in the case of Group A and Group B railway servants and by the head of the office or an officer authorized by him in the case of Group C and Group D railway servants.

Verification of title to leave**[Rule 514]**

The amount of leave due to a railway servant is the balance leave at his credit in the leave account. No leave shall be granted to a railway servant until a report regarding its admissibility has been obtained from the authority maintaining the leave account.

Leave when not be granted**[Rule 515]**

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

Recall to duty before expiry of leave**[Rule 516]**

In case a Railways servant is recalled to duty before the expiry of his leave, such recall to duty shall be treated as compulsory in all cases and the railway servant shall be entitled :-

- a. If the leave from which he is recalled is in India, to be treated as on duty from the date on which he starts from the station to which he is ordered, and to draw-
 - i. Travelling allowance under rules made on this behalf for the journey; and
 - ii. leave salary until he joins his post, at the same rate at which he would have drawn it but for recall to duty
- b. If the leave from which he is recalled is out of India, to count the time spent on the voyage to India as due for purpose of calculating leave, and to receive –
 - i. leave salary, during the voyage to India and for the period from the date of landing in India to the date of joining the post at the same rate at which he would have drawn it but for recall to duty;
 - ii. a free passage to India
 - iii. refund of his passage from India if he has not completed half the period of his leave by the date of leaving for India on recall, or three months, whichever is shorter;
 - iv. duty pass and travelling allowance, under the rules for the time being in force for travel from the place of duty.

Return to duty from leave**[Rule 517]**

- (1) A railway servant on leave shall not return to duty before the expiry of the period of leave granted to him, unless he is permitted to do so by the authority which granted him leave.
- (2) Notwithstanding anything contained in sub-rule (1), railway servant on leave preparatory to retirement shall be precluded from returning to duty save with the consent of the authority competent to appoint him to the post from which he proceeded on leave preparatory to retirement.
- (3) A railway servant who has taken leave on medical certificate may not return to duty until he has produced a medical certificate of fitness from the appropriate Medical authority.
- (4) A railway servant returning from leave is not entitled, in the absence of specific orders to that effect, to resume as a matter of course, the post which he held before going on leave.

- (5) Such railway servant shall report his return to duty to the authority which granted him leave, if any specified in the order granting him the leave and await orders.

Absence after the expiry of leave

[Rule 518, RBE 79/11]

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

Grant of leave on Medical Certificate – General Rules

[Rule 519]

- (1) Medical Officers shall not recommend grant of leave in any case in which there appears to be no prospect that the railway servant concerned will ever be fit to reassume his duties. In such cases the opinion that the railway servant is permanently unfit for railway service should be recorded in the Medical certificate. A railway servant in Group A or Group B should not be invalidated out of service on account of ill health except on the certificate of a Medical Board.
- (2) Every certificate of a Medical Officer recommending the grant of leave to a railway servant must contain a proviso that no recommendation contained in it shall be evidence or a claim to any leave not admissible to the railway servant under the terms of his contract or the rules to which he is subject. The certificate should be forwarded to the authority competent to grant the leave and the orders of that authority should be awaited.

Grant of leave on Medical certificate to Group A and Group B Officers

[Rule 520]

Before a railway servant in Group A and / or Group B is granted leave or an extension of leave, on medical certificate, he should obtain a certificate in the prescribed form.

Grant of leave on medical Certificate to Group C and Group D Railway servants

[Rule 521]

An application for, leave on medical certificate made, by a railway servant in Group C and Group D shall be accompanied by a medical certificate given by a Railway Medical Officer, defining as clearly as possible the nature and duration of the illness on prescribed form.

Where a Railway employee remained on medical leave upto and including 3 days duration and reported back for duty with a fitness from the medical practitioner, he may be allowed to join duty without obtaining fitness certificate from the Railway Medical Officer subject to the conditions that the employee furnished a declaration that he had not suffered during this period from any eye disease. In the other cases where the duration of the sickness is more than 3 days, the railway employee should be put back to duty within 24 hours on his producing fitness certificate from a private medical practitioner, provided he is found fit by the competent railway medical officer, in case there is any delay beyond 24 hours in obtaining the fitness certificate from the competent Railway Medical Officer, the employee concerned will be deemed to have been put back to duty within 24 hours of his producing the medical certificate of the private medical officer.

[RB L.No. E(G) 78LE 1-17 dt 18.1.1979]

With a view to preventing misuse, the Railway Administration may withdraw for specified periods (From 1st April to 30th June in Summer, from 1st Oct. to 15th November during Diwali and when mass sick reporting is contemplated by staff of any department) the privilege of acceptance of medical certificate from Registered Medical Practitioners for grant of Medical Certificates to Group "C" and Group "D" Railway servants.

[RB L.No. E(G) 72LE 1-11 dt 28.9.1972]

Leave to a railway servant who is unlikely to be fit to return to duty

[Rule 522]

When a medical authority has reported that there is not reasonable prospect that the railway servant will ever be fit to return to duty, leave shall not necessarily be refused to such Railway servant but as per the laid down terms and conditions.

Leave on average pay

[Rule 523]

Railway Servant shall be entitled to 30 days leave on average pay in a calendar year. It shall be credited in advance. It is credited in 2 installments of 15 days each on the 1st January and 1st July of every calendar year.

The maximum leave can be accumulated up to 300 days wef 01.07.1997.

[RBE No. 155,157/97]

The following procedure for crediting LAP on 1st Jan / 1st July w.e.f. 01.07.1997 in respect of Railway employees have been adopted :-

- i. In case of Railway employees, having at their credit leave on Average pay of 285 days or less as on 1st January / 1st July of a year, LAP of 15 days or proportionately less in respect of retiring persons or those leaving service during the next half year may continue to be credited to their leave account in advance.
- ii. In cases where the leave on Average Pay at credit as on 1st January / 1st July is 300 days or less but more than 285 days, credit of LAP for 15 days may be kept separately and first adjusted against any LAP that the Railway servant may take during the ensuing half year and the balance, if any, credited to the LAP account at the close of the half year subject to the ceiling of 300 days. If the LAP taken during the half year is more than 15 days the amount in excess of 15 days will, however, have to be debited to the leave account.

[RB L No. E(P&A) VI- 2000 / CPC / LE-3 dt 1.8.2000]

Calculation of leave on average pay

[Rule 524]

Shall be credited at the rate of 2½ days for each completed months. Maximum leave may be granted 180 days at a time. If employee is on EOL/LWOP/Absent from duty during previous half year, the credit of next half year shall be reduced by 1/10 of the period of such absent/EOL subject to maximum 15 days in one half of the year.

While affording credit of LAP fraction of day shall be rounded off to the nearest day. **[RBE No. 24/97]**

Concession to Railway servants on the North-East Frontier Railway

Once in a calendar year, the staff proceeding on leave on average pay to or via-Calcutta, Lucknow or Patna will be granted additional leave, not debitable to their leave account on the following scale :-

[RB L.No. E(G) 58AD-I dt 15.02.1958]

- i. Staff headquarters at Siliguri station or at stations west of Siliguri = 2 days
- ii. Staff headquarters at stations last of Siliguri but on the North Bank of Brahmaputra, including Darjeeling-Himalaya Section and at Pandu (Guwahati) = 4 days
- iii. Staff headquarters at stations to the east of Pandu = 6 days

Leave on average pay applicable to School staff

[Rule 525, RBE 57/11]

(1)(a) A Railway servant serving in a Railway school such as a teacher, principal, headmaster, librarian, laboratory assistant or a waterman shall not be entitled to any Leave on Average Pay in respect of duty performed in any year in which he avails the full vacation.

(b) In respect of any year in which a Railway servant avails a portion of the vacation, he shall be entitled to Leave on Average Pay in such proportion of 30 days, as the number of days of vacation not taken bears to the full vacation.

Provided that no such leave shall be admissible to a Railway servant not in permanent employ or quasi-permanent employ in respect of the first year of his service.

(c) If, in any year, the Railway servant does not avail any vacation, Leave on Average Pay shall be admissible to him in respect of that year under Rule 523.

Explanation : For the purpose of this rule, the term 'year' shall be construed not as meaning a calendar year in which duty is performed but as meaning twelve months of actual duty in a Railway School.

Note 1 – A Railway servant entitled to vacation shall be considered to have availed a vacation or a portion of a vacation unless he has been required by general or special order of a higher authority to forego such vacation or portion of a vacation.

Provided that if he has been prevented by such order from enjoying more than fifteen days of the vacation, he shall be considered to have availed himself of no portion of the vacation.

Note 2 - When a Railway servant serving in a Railway school proceeds on leave before completing a full year of duty, the leave on Average Pay admissible to him/her shall be calculated not with reference to the vacations which fall 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 on which he completed the previous year of duty.

2. Vacation may be taken in combination with or in continuation of any kind of leave under these rules.

Provided that the total duration of vacation and leave on Average Pay taken in conjunction, whether the Leave on Average Pay is taken in combination with or in continuation of other leave or not, shall not exceed the amount of Leave on Average Pay due and admissible to the Railway servant at a time under rule 523.

3. The Leave on Average Pay under this rule at the credit of a Railway servant at the close of the previous half year shall be carried forward to the next half year, subject to the condition that the leave so carried forward plus the credit for the half year shall not exceed the maximum limit of 300 days.

Note :- The facility of crediting of unavailed portion of joining time shall be admissible to persons serving in Railway Schools, in accordance with the provisions of Rule 1110.

A Railway servant serving in a school shall be entitled to LAP under & subject to provisions of rules in respect of the vacation or a portion thereof not availed /foregone for undertaking scout & guides activities. **[RBE 146/06]**

Railway Board in supersession of their letter No. E(P&A) 1-81/CPC/LE-8 dated 11.12.1981 has decided that the facility of 20 days half pay leave in lieu of 10 days leave on average pay during a year, will be restored to Teachers, Principals, Headmasters, Librarians, Laboratory Assistants and Waterman working in Railway Schools, at par with other railway employees under the provisions of Rule 526 of the Liberalized leave Rules, 1949. These orders shall take effect wef 1st Sept., 2008.

[RBE 46/09 & 57/11]

In continuation of RBE No. 46/09, Railway Board has further clarified that :- **[RBE 175/09]**

- (i) This facility of 20 days LHAP to Railway school staff has been given in lieu of 10 days LAP admissible to them earlier. Hence for the period from 1.9.2008 to 31.12.2008, leave on half average pay calculated at the rate of 5/3 days for each completed month of service rounded off to 7 days may be credited. From 1.1.2009 onwards, 10 days, LHAP shall be credited in advance on the 1st Jan. and 1st July each year as in the case of other categories of railway employee. Proportionate LAP for the broken period of the year upto 31.08.2008 may be allowed at the rate 5/6 days for each completed month of service
- (ii) The LAP standing at the credit of Railway School employees as on 01.09.2008, shall be kept in their leave account and may be granted as LAP as also for the purpose of encashment which is admissible to these categories suomoto in accordance with the provisions of Rules 541, 549 & 550 of IREC Vol. I 1985 Edition as admissible to other railway servants subject to fulfillment of the prescribed conditions.
- (iii) The LAP credited to these staff on 1st July 2008 and availed by the school staff before the Railway Board order dated 06.03.2009 (RBE No. 46/09) regarding restoration of half pay leave shall be treated as LAP.

Leave on half average pay

[Rule 526]

It can be granted to Railway Servants including Railway school staff, on half average pay. It shall be credited in leave account in 2 installments 10 days each of the half-year on 1st January and 1st July in advance. The amount of LHAP can be availed in one spell combined with any other kind of leave or not, shall be limited to 24 months. This leave may be granted on Medical Certificate or private affairs or at the request of employee. It can be accumulated in Leave Account unlimited.

[RBE 207/92 & 57/11]

If an employee remain absent or under suspension and the period is treated as "No work" (without pay) than 1/18 of that number of days will be deducted from earning of LHAP. **[RBE 41/88]**

Commuted leave

[Rule 527]

Commuted leave not exceeding half the amount of leave on half average pay due may be granted on Medical Certificate to Railway Servants. If authority competent to grant such leave is satisfied that there is reasonable prospect of the Railway Servant returning to duty on its expiry. Twice the amount of such leave shall be debited against leave on half average pay. No limit to the number of days of commuted leave to be availed during entire service. 180 days shall be allowed to be commuted during the entire service, in case (LHAP) only utilized for approved course of study and is certified to be in the Public interest by the leave sanctioning Authority.

Where commuted leave has been sanctioned and employee retires/resigns from service without returning to duty, the commuted leave shall be treated as half average pay and the difference between the leave salary be recovered. Provided that retirement is thrust upon employee compulsorily and due to ill health no leave salary shall be recovered. Commuted leave may be granted at the request of employee even LAP is due to him. There is no limit to the number of days of commuted leave to be availed of during the entire service.

Leave not due

[Rule 528]

May be granted to permanent Railway Servants. LND shall be limited to leave on half average pay, which is likely to be earned thereafter.

Leave Not due during the entire service shall be limited to 360 days on Medical Certificate, out of which not more than 90 days at a time and 180 days in all in one spell. Leave not due shall be debited against LHAP account and is likely to be earned subsequently. Where Railway Servant who has been granted leave not due resign or retire voluntarily from service without returning to duty, leave salary be recovered considering resignation or retirement is taking effect from the date such leave had commenced. If employee's retirement is compulsorily thrust upon him by reason of ill health and incapacitated Railway Servant for further service, no leave salary shall be recovered. [RBE No. 30/89]

Leave not due shall be granted to temporary Railway Servant who has put in minimum one year service and suffering from TB, Cancer, Leprosy etc. for 360 days during entire service. [Rule 529]

Extra Ordinary Leave

[Rule 530]

- (1) may be granted to a Railway Servant when (a) No other leave is admissible (b) Other leave is admissible but the Railway servant applies in writing for the grant of extra ordinary leave.
- (2) Unless the President in view of the exceptional circumstances of the case otherwise determines, no temporary Railway Servant shall be granted EOL on one occasion in excess of three months to 24 months depending upon circumstances / sickness as mentioned under this rule.
- (3) Two spells of EOL, if intervened by any other kind of leave shall be treated as one continuous spell of EOL
- (4) No limit in case of permanent Railway Servant, but all kind of leave together, shall not exceed 5 years in one spell.

Grant of Extraordinary leave for study purpose of Probationers of Indian Railway Medical Service.

[RB No. 2001/E/GR/11/7/13 dated 26.03.2004]

Leave to Probationers:- (including Group "A" Railway service probationers)

[Rule 531]

Probationers in Railway shall be entitled to leave under these rules as if he had held his post substantively otherwise than on probation.

A person appointed to a post on probation shall be entitled to leave under these rules as a temporary or permanent railway servant according as his appointment is against a temporary or a permanent post, provided that where such person already hold a lien on a permanent post before such appointment, he shall be entitled to leave under these rules as a permanent Railway Servant.

Leave to special class railway apprentices

[Rule 532]

One month leave on full stipend may be granted in any year of apprenticeship. More than one months leave can be granted on the grounds of ill health but without stipend.

Leave to Apprentice Mechanic

[Rule 533]

16 days on full stipend and 20 days leave on half stipend on Medical Certificate may be granted to App. Mech. In Railway Workshop, ASM, Comml. Staff, PWI, IOW, TXR etc.

Leave to Trade apprentice

[Rule 534]

12 days on full stipend and 15 days leave on half stipend on medical certificate may be granted in any year of apprenticeship.

Leave to other apprentices

[Rule 535]

Apprentices under training for Group C posts in all other departments who are posted to supervisory posts after training such as Apprentice Train Examiners, Apprentice Permanent Way Inspectors, Stores apprentices etc. may be granted leave like Apprentice Mechanics mentioned in rule 533. Apprentices who are appointed as skilled workmen after training may be granted leave like trade apprentices mentioned in rule 534.

Other Leave to apprentices

[Rule 536]

Apprentices, other than special class apprentices, may be granted by the General Manager extraordinary leave (without stipend) under the rules applicable to temporary railway servants. The General Manager may re-delegate his powers under this rule to the Heads of Departments and officers in not below Junior Administrative grade.

General conditions for grant of leave to apprentices

[Rule 537]

1. In all cases mentioned in rules 531 to 536 leave will be non-accumulative and no leave shall be granted if it would interfere with the training.
2. On subsequent absorption, without a break, if the period of apprenticeship or training as probationer, is treated as service, recalculation of leave may be allowed as is permissible under the normal operation of the rules.

Leave to persons re-employed after retirement

[Rule 538]

- (1) In the case of person re-employed after retirement the provisions of these rules shall apply as if he had entered railway service for the first time on the date of his re-employment.
- (2) (a) If a railway servant, who quits the public service on compensation or invalid pension or gratuity, is re-employed and if his gratuity is thereupon refunded or his pension held wholly in abeyance his past service thereby becoming pensionable on ultimate retirement he may at the discretion of the authority sanctioning the re-employment and to such extent as that authority may decide to count his former service towards leave.
(b) A railway servant who is dismissed or removed from the public service but is reinstated on appeal or revision is entitled to count his former service for leave.

Leave to Workshop staff

[Rule 539]

Workshop staff may be allowed to take leave with pay, if due, or without pay for period not less than half a day. The concession is restricted to six occasions in a year.

Leave preparatory to retirement

[Rule 540]

If Railway Servants not desirous of leave encashment of LAP at the time of retirement on superannuation may be permitted by a competent authority to take leave preparatory to retirement to the extent of leave on average pay not exceeding 180 days together with half average pay leave with the condition that such leave extends upto and includes the day preceding the date of retirement. LPR shall not include EOL.

Encashment of leave on Average Pay along with Railway Pass / PTO while in service :-

A Railway Servant shall be permitted to encash leave on average pay up to 10 days at the time of availing of Railway Passes as well as Privilege Ticket Order while in service subject to the conditions:-

[Rule 540A, RBE 161/08,194/08]

1. Leave on average pay of at least an equivalent duration is also availed of simultaneously (but this has been amended by RBE No. 104/09 & now railway servants are permitted to encashment of LAP up to 10 days without any linkage to the number of days & nature of leave availed at the time of availing Pass/PTOs).
2. a balance of at least 30 days of leave on average pay should be available to his credit after taking into account the period of encashment as well as leave availed of.
3. the total leave so encashed during the entire career shall not exceed 60 days in the aggregate subject to the condition that successive encashment cannot be made before a minimum period of two years has elapsed;

With respect to the period of two years for the purpose of successive encashment of LAP shall be w.r.t. a two year block, the first one commencing from 01.09.2008 and ending on 31.08.2010 w.r.t. to the outward journey performed. The next block would commence from 01.09.2010 and end on 31.08.2012 and successive blocks, would follow similar pattern.

[RBE 15/2011]

4. No HRA & Transport Allowances shall be payable.
5. The period of leave encashed shall not be deducted from the quantum of leave encashable under Rule 550.
6. The categories of Running Staff and SMs /ASMs shall also have to fulfill all the conditions prescribed for railway employees in general for the purpose of availing encashment of leave on average pay upto 10 days while availing Passes /PTOs, means exemption from the requirement of

availing Railway passes and equal duration of LAP extended to these categories vide RBE No. 196/08 has been withdrawn and RBE 104/09 will be applicable on the above categories also.

[RBE 157/09]

7. In order to claims encashment of LAP while availing privilege Pass/PTO, Rly employees are required to avail leave, including casual leave. Holidays, including restricted holidays, do not come within the ambit of the definition of leave for this purpose.

[RBE 95/11]

8. After taking into account the nature of their duties, it has been decided by Rly. Bd. to permit encashment of leave to all running staff including Drivers, Asstt. Drivers, Motarmen, Shunters, Guards etc. and Station Master/Asstt. Station Master, in cases where leave is refused but pass/PTO is availed

[RBE 61/12]

9. NPA shall be taken into account for calculating encashment of LAP while availing Privilege Pass or PTO

[RBE 67/12]

Leave beyond the date of retirement or quitting service -

[Rule 541]

(1) Except as otherwise provided under these rules, no leave shall be granted to a railway servant beyond—

(a) the date of his retirement, or

(b) the date of his final cessation of duties, or

(c) the date on which he retires by giving notice to the appointing authority or he is retired by the competent authority by giving him notice or pay and allowances in lieu of notice in accordance with the terms and conditions of his service, or

(d) the date of his resignation from service.

(2) Where the service of a railway servant has been extended or continued in re-employment beyond the age of superannuation, he may be allowed the benefit of encashment of leave on the date of cessation of service on expiry of extension or re-employment in respect of leave on average pay at his credit on the date of superannuation plus leave on average pay earned during extension of re-employment reduced by leave on average pay availed of during such period, subject to a maximum of 300 days.

Leave on termination of employment -

[Rule 542]

I.(1) Leave shall not be granted on termination of employment to a railway servant who has been dismissed or removed from service or whose services have been terminated under the 'Railway Services (Safeguarding of National Security) Rules, 1954'

(2) Apprentices will continue to be governed by the rules applicable to them and leave on termination of appointment will not be admissible to them. Likewise, persons whose services are lent by commercial concerns or semi-Government organizations on terms which include payment of leave salary contribution, cannot be granted such leave.

II. **Leave (terminal) to temporary railway servants** - In the case of temporary railway servants, leave on average pay due and admissible at a time may be granted at the discretion of the sanctioning authority on the termination of service on account of retrenchment or on abolition of posts before attaining the age of superannuation. In cases where any notice of termination of services is required to be given under the terms of employment of the temporary railway servant and the railway servant is relieved before the expiry of the notice, such notice or the un-expired portion thereof should run concurrently with the leave granted.

Drawal of leave salary

[Rule 543]

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

A Railway Servant who proceeds on commuted leave is entitled to leave salary equal to pay drawn immediately before proceeding on LAP. On half average pay or LND is entitled to leave salary equal to half the amount as detailed above. On extra ordinary leave he will not be entitled to any leave salary.

[Rule 544]

Leave salary to workshop staff

[Rule 545]

(1) Leave salary of workshop staff on leave on average pay shall be equal to the pay which the railway servant would have drawn had he remained on duty but does not include any increase which might have accrued to him during the currency of the leave.

- (2) Leave salary during half average pay leave shall be equal to one half of the leave salary in sub-rule (1) above and on commuted leave, twice the leave salary as admissible of leave on half average pay.

Leave salary to running staff

[Rule 546]

- (1) In the case of permanent running staff the leave salary on leave on average pay for the first 60 days shall be at the substantive pay or on average pay, whichever is greater, and thereafter at substantive pay.
- (2) In the case of temporary running staff the leave salary shall be on average pay upto 60 days and beyond 60 days at average pay or the pay the staff would have drawn had he remained on duty, whichever is less.
- (3) Leave salary during leave on half average pay and commuted leave shall be calculated as in sub-rule (2) of rule 545.

Reckoning of special pay for leave salary

[Rule 547]

Special pay granted to different categories of staff shall be taken into account for the purpose of calculation of average pay.

Advance of leave salary

[Rule 548]

A railway servant (both permanent and temporary) including a railway servant on foreign service proceeding on leave for a period not less than 30 days may be allowed an advance in lieu of leave salary upto a month's pay and allowance subject to the following conditions:

- (1) The advance of leave salary shall be sanctioned in whole rupees.
- (2) No advance may be granted when the leave is taken for less than a month/30 days.
- (3) The amount of advance should be restricted to the amount of leave salary for the first month of leave that is clearly admissible to the railway servant after deductions on account of Income Tax, Provident Fund, House Rent, repayments of advances, etc. so that there is no financial risk involved.
- (4) The advance should be adjusted in full in the leave salary bill in respect of the leave availed of. In case where the advance cannot be so adjusted in full the balance will be recovered from the next payment of pay or leave salary.
- (5) The advance may be sanctioned by the General Manager, or by any officer to whom the power may be specially delegated in the case of railway servants in Groups A, B, C & D.
- (6) The advance in respect of temporary railway servants will be sanctioned subject to the furnishing of surety of a permanent railway servant
- (7) The amount of advance will be debited to the Head of Account to which the pay etc. of the railway servant is debited and the adjustment of the advance shall be watched by the Accounts Officer concerned.

Cash equivalent of leave salary in case of death in service

[Rule 549]

In case a railway servant dies while in service the cash equivalent of the leave salary that the deceased employee would have got had he gone on leave on average pay that would have been due and admissible to him but for the death on the date immediately following the date of death and in any case not exceeding leave salary for 300 days, shall be paid to his/her family, without any reduction on account of pension equivalent of Death-cum-Retirement Gratuity.

Cash payment in lieu of unutilized leave on average pay on the date of retirement

[Rule 550]

All Railway Servant who retired on or after 30.09.1977 may be paid equivalent to leave salary for leave on average pay at their credit at the time of retirement. It shall be limited to maximum of 240 days LAP upto 30.06.1997 which has been raised to 300 days from the existing ceiling of 240 days w.e.f. 01.07.1997. It may be paid as one time lump sum payment on settlement. Authority competent to grant leave shall suo-moto issue order for granting LAP at credit on the day of retirement. In case of compulsory retirement under D&AR and even if a cut in pension (including gratuity) has been ordered. In such cases authority competent to grant leave can sanction cash equivalent of leave salary. A Railway Servant who resigns or quits service shall be entitled to cash equivalent in respect of half the LAP at credit on the day on cessation of service to the extent maximum of 150 days.

[RBE 157/97 & 29/06]

Both Earned Leave & Half Pay Leave shall be considered for encashment of leave subject to overall limit of 300 days. The cash equivalent payable for Earned Leave shall continue unchanged. However, cash equivalent payable for Half Pay Leave shall be equal to Leave Salary as admissible for half pay plus DA admissible on the leave salary without any deduction being made on account of pension and pension equivalent of other retirement benefits payable to make up the shortfall in Earned leave, no commutation of HAP shall be permissible. The benefit will be admissible in respect of (cases between 01.01.06 to 02.09.08) on receipts of application to that effect from the pensioners concerned by the Administration Ministry concerned. **[RBE 148, 104/09 & 204/09]**

Maternity leave

[Rule 551]

A female Railway Servant (including an apprentices) with less than two surviving children may be granted maternity leave for a period of 180 days from the date of commencement.

[RBE 154/97 & 158/08]

In case of Mis-carriage/Abortion it can be granted for 45 days in entire career of service to female employee (irrespective of the number of surviving children). Medical Certificate may support the maternity leave on application. **[RBE 54/97 & 57/11]**

In continuation of maternity leave any leave (including commuted leave upto 60 days and LND) upto a maximum period of two years may be granted without medical certificate.

[RBE No. 30/89 & 158/08]

A woman employee in whose case the period of 135 days of Maternity Leave has not expired on the 1st Sept. 2008 shall also be entitled to Maternity Leave of 180 days. **[RBE 195/08]**

Paternity leave

[Rule 551/A]

A Male Railway Servant (including Apprentice) with less than 2 surviving children may be granted paternity leave for a period of 15 days during the confinement of his wife i.e. upto 15 days before or upto six months from the date of delivery of child and if such leave is not availed of within this period it shall be treated as lapsed. During the period of such leave he shall be paid leave salary equal to the pay drawn immediately before proceeding to leave. Paternity leave shall not be debited against the leave account and may be combined with any other kind of leave. (As in the case of maternity leave.). It may not normally be refused under any circumstance. Paternity leave to a male Railway Servant may be allowed in case of wife had given birth to the child on a date not prior to 180 days from the date of issue of this order i.e. 07.10.1997. This leave can be granted only in a single spell.

[RBE 154/97, 110/99, 249/99 & 57/11]

Paternity Leave to male casual Railway employee who has been granted temporary status

[Rule 551/B]

A male casual Railway employee who has been granted temporary status with less than two surviving children may be granted Paternity Leave for a period of 15 days during the confinement period of his wife. The leave should be applied for and availed of, at least partly, or at least commence within a period of 135 days of childbirth. The Paternity leave can commence prior to childbirth so long as the date of birth of child falls during the period of such leave. It shall not be debited against the leave account and may be combined with pro-rata leave on average pay admissible to the casual Railway employees (as in the case of Maternity Leave). Paternity Leave too, like Maternity Leave, can be sanctioned only in a single spell. During the period of such leave he shall be paid wages, in respect of working days equal to the wages drawn immediately before proceeding on leave. **[RBE No 110/99]**

Child Adoption leave

[Rule 551/C]

Adoptive mother may also be granted leave even without production of medical certificate as leave due and admissible not exceeding one year but this facility will not be available to adoptive mother having two children. The maximum admissible period of one year leave of the kind due will be reduced by the age of child as under:- **[RBE 62/06 & 207/92]**

- a. If child is less than one month, leave upto one year may be allowed.
- b. If child is six months old, the leave upto 6 months may be allowed.
- c. If child is nine months or more, leave upto 3 months may be granted.

In this connection, it is further clarified that an adoptive mother on the railways with less than two surviving children may be granted leave of 180 days 'CAL' on adoption of a child up to one year of age on the lines of maternity leave admissible to natural mothers. This leave may be combined with leave of any other kind. **[RBE 166/09]**

Paternity leave in case of Adoption**[Rule 551/D]**

A male railway servant (including an apprentice) with less than two surviving children, on valid adoption of a child below the age of one year, may be sanctioned Paternity Leave for a period of 15 days within a period of six months from the date of valid adoption. **[RBE No. 166/09]**

Child Care Leave :-**[Rule 551/E, RBE 158/08, 195/08 & 57/11]**

Women employee having minor children may be granted **Child Care Leave (CCL)** by an authority competent to grant leave, for a maximum period of 2 years (i.e. 730 days) during their entire service for taking care of up to 2 children whether for rearing or to look after any of their needs like examination, sickness etc. CCL shall not be admissible if the child is 18 years of age or older (22 years of age in case of disabled children [RBE 58/10]). During the period of such leave, the women employee shall be paid leave salary equal to the pay drawn immediately before proceeding on leave. It may be availed of in more than one spell. CCL shall not be debited against the leave account. CCL may also be allowed for the 3rd year as leave not due (without production of medical certificate). It may be combined with leave of any kind due & admissible.

CCL cannot be demanded as a matter of right. Under no circumstances can any employee proceed on CCL without prior approval of the leave by the leave sanctioning authority. The leave is to be treated like the Earned Leave & sanctioned as such. Consequently, Saturday, Sunday, Gazetted holidays etc. following during the period of leave would also count for CCL as in the case of Earned leave.

- a. CCL can be availed only if the employee concerned has no earned leave at her credit. (This condition has since deleted vide RBE 144/2010)
- b. The CCL shall be admissible for two eldest surviving children only.
- c. The leave account for CCL shall be kept along with the Service Record of the railway servant in prescribed Performa.
- d. LHAP is not to be considered as Earned leave for the purpose of grant of Child Care Leave, as such a female railway servant may be granted CCL even in the case she has LHAP at her credit.

[RBE 65/2009 & 21/11]

- e. In one spell maximum limit of CCL is 730 days and minimum limit is 15 days.
- f. CCL cannot be availed more than three times in a year.
- g. CCL may be sanctioned to adoptee mother also.
- h. If the Rly servant is on CCL on the day of increment, the increment will come into effect only on the date she reports for duty.

[Rly. Bds. Letter No. E(P&A)I-2009/CPC/LE-10 DT. 30.09.10 for e to h]

- I. Child care leave should not ordinarily be granted during the probation period except in case of extreme situation. **[RBE 57/11]**
- j. The benefit of encashment of leave on average pay, admissible in terms of Rule 540-A, cannot be availed during child care leave. **[RBE 57/11]**

Special disability leave**[Rule 552]**

This leave may be granted to permanent or temporary Railway Servants who is disabled by injury intentionally inflicted or caused in or in consequence of due performance of official duty. Such leave may be granted in case where the disability manifested itself within three months, after the occurrence of its cause. The period of such leave shall not exceed 24 months. This may be combined with any other kind of leave. Such leave may be granted more than one if disability reproduced in similar circumstances but not more than 24 months for one disability. It is counted as duty for pension, leave salary etc. First 120 days of such leave will be equal of leave salary while on leave on average pay and for remaining period leave be equal to salary during half pay leave. In case period exceeding 120 days Railway Servant may at, his option, get pay equal to LAP, by debiting half day leave from his leave account. Person to whom the WCA 1923 applies, the amount of leave salary payable shall be reduced by the amount of compensation payable under this Act.

Special disability leave for Accidental injury**[Rule 553]**

The provisions of rule 552 shall apply also to a railway servant, whether permanent or temporary, who is disabled by injury accident incurred in , or in consequence of due performance of his official duties or in consequence of his official position, or by illness incurred in the performance of any particular

duty which has the effect of increasing his liability to illness or injury beyond the ordinary risk attaching to the post which he holds.

Competent authority may consider to grant of Hospital leave under the provisions of Rule 552 & 553 to kidnapped Railway employee for the period subjected to physical / mental torture. [RBE 134/2002] In continuation of RBE No. 134/02, it has been clarified by the Railway Board that the leave to be granted by the competent authority under the provisions contained in Rule 552 & 553, is for treatment of the kidnapped Railway employee subject to physical / mental stress and not for the duration he remained captive. [RBE No. 176/02]

Hospital Leave

[Rule 554]

This leave is granted to Group "C" and Group "D" staff only while under medical treatment for illness or injuries if such illness or injury is directly due to risk incurred in the course of official duties. This is granted on production of medical certificate from authorized medical attendant. For 1st 120 days, salary equal to leave on average pay is payable and for remaining period, salary equal to leave on half average pay is payable.

The amount of Hospital leave may be granted by GM is unlimited. It shall not be debited against leave account.

It may be combined with any other kind of leave but shall not exceed 28 months after combination. Salary during hospital leave shall be reduced from the amount of compensation payable under Sec. 4(1) WC Act.

Leave salary during Hospital leave for more than 120 days can be paid equal to LAP with the recommendation of CMS, concurrence by Associate Account Officer and sanction by JA Grade Officer. But post facto approval of GM will have to be obtained.

Quarantine Leave [Rule 555] Deleted.

[RBE 207/92]

Study Leave

It is granted 12 months at a time and during entire services not more than 24 months in all.(inclusive of similar kind of leave for study or training granted under any other rules) Study leave shall count as service for promotion, seniority, pension, increments & shall be counted for earning both leave on Average Pay & leave on Half Average Pay. [Rule 556 & RBE 01/11]

Doctors: If PG course, for medicine and research, it is granted for 36 months, with the personal approval of GM. Bond should be executed, that he would serve railway at least 5 year after expiry of such leave. [RBE 138/98,157/07]

During study leave availed outside India, a Railway servant shall draw leave salary equal to the pay (without allowances other than dearness allowance), in addition to the study allowance and during study leave availed in India, a Railway servant shall draw leave salary equal to the pay (without allowances other than dearness allowance). [Appendix V of IREC I]

In terms of Rule 14 of the study leave Rules under Annexure-V of IREC Vol.-I, 1985 Edition, the study leave availed by those Railway servants who resign or retire from service or otherwise quit service without returning to duty after a period of study leave or within a period of three years after such return to duty or who fail to complete the course of study and are thus unable to furnish the certificate as required in sub-rule (5) of Rule 4 of the study leave Rules ibid, shall be converted into regular leave standing at his credit on the date on which the study leave commenced, any regular leave taken in continuation of study leave being suitably adjusted for the purpose and the balance of the period of study leave, if any, which cannot be so converted, treated as extraordinary leave and such of the period of extraordinary leave shall not be counted as qualifying service for pensionary benefits.

[RBE 33/11; 06/12]

Special dispensation in the form of Special Casual Leave to Rly Employee with disabilities

Casual Leave available for employees with disabilities should be 12 days as against 8 days for other employee, additional benefit of 4 days leave should be granted in form of Special Casual Leave in a Calendar year. [RBE 201/08]

JOINING TIME

[Rule 1101 to 1115 of IREC I]

It will be granted to Railway Servants on transfer in public interest. [Rule 1101]

It is not admissible in the case of temporary transfer for a period not exceeding 180 days. [Rule 1102]

Actual transit time in the case of journey on transfer/tour shall only be allowed. Joining Time shall commence from the date of relinquishment of charge of the old post if the charge is made over in the (F/N) or the following date, if the charge is made over in the (AN). [Rule 1103,1104 & 1105]

Joining time shall be calculated from old HQ in all cases including where a Railway Servant receives his transfer order or makes over charge of the old post. [Rule 1106]

Not more than one day's joining time shall be allowed to a Railway Servant to join a new post within the same station or which does not involve change of residence from one station to another station, same station will be interpreted to mean the area falling within the jurisdiction of the municipality or corporation including such of suburban notified area. [Rule 1107]

In case of involving transfer from one station to another station and also involving change of residence, the Joining time shall be allowed with reference to the distance between the Old Headquarter and the New Headquarter by direct routes as indicated in the following schedule. When holiday followed journey time the normal joining time may be deemed to have been extended to cover such holidays. [Rule 1108]

Upto 1000 Kms.	10 days
More than 1000 Kms but less than 2000 Kms.	12 days
More than 2000 Kms.	15 days

(In case of travel by air, the maximum will be 12 days)

Extension of joining time beyond the limit indicated above can be granted upto the maximum limit of 30 days by the HOD and on Division by DRM and beyond 30 days by the Railway Board.[Rule 1109]

Crediting leave account with unutilized joining time

When a Railway Servant joins the new post without availing of the full joining time the numbers of days of joining time as admissible under these rules subject to the maximum of 15 days reduced by the number of days actually availed of, shall be credited to his leave account as LAP. It will be credited subject to the usual restrictions of accumulation of LAP in the leave account.

[Rule 1110 & RBE 55/13]

Joining time may be combined with vacation and / or regular leave of any kind and / or duration except casual leave. [Rule 1111 & RBE 55/13]

If a railway servant in transit on transfer is directed to proceed to a place different from that indicated in the initial transfer orders, he shall be entitled to joining time already availed of upto the date of receipt of revised orders plus fresh spell of full joining time from the date following the date of receipt of the revised orders. The fresh spell of joining time in such cases shall be calculated from the place at which he received revised orders as if he is transferred from that place. [Rule 1112]

A railway servant on joining time shall be regarded as on duty during that period and shall be entitled to be paid joining time equal to the pay which was drawn before relinquishment of charge in the old post. He shall be entitled to DA, if any, appropriate to the joining time pay, CCA, HRA as applicable to the old station from which he was transferred, but not conveyance allowance or permanent travelling allowance. [Rule 1113]

But temporary Central Govt. employees with less than 03 years of regular continuous service, through entitled to joining time would not entitled to joining time pay. [RBE 55/13]

On deputation out side Rlys. – When a railway servant to whom these rules apply, is transferred to the control of Cent. Govt. / Defence services or organization, which has made separate rules prescribing amount of joining time, his joining time for the journey to join his post under that Govt./Organ., and for the return journey will be governed by those rules, unless different provisions are expressly made in the terms of deputation / foreign service by mutual agreement between the lending and borrowing authorities. [Rule 1114]

On deputation to Railway - The joining time of Central Govt. employees, Armed Forces personnel and those paid from Defence Services estimates, and the employees of State Govt. or any other organization, who are appointed to Rly services and posts under the Rlys on deputation or on foreign service basis, shall, for joining the Rlys and for the return Journey, be regulated in accordance with these rules, unless different provisions are expressly made in their respective terms of deputation / foreign service by mutual agreement between the lending and borrowing authorities. [Rule 1115]

Technical Resignation - For appointment to posts under the Central Govt. on the result of a Competitive examination and/or interview, Central Govt. employees and permanent State Govt. employees will be entitled to joining time. **[RBE 55/13]**

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Casual Leave to Railway Servants

Casual Leave is a leave admissible to Railway servants in all groups (i.e. A,B, C and D) and is granted to enable them to attend sudden / unforeseen needs / requirements. It is not recognised as leave or subject to any rule under the leave rules applicable to the Railway servants. Therefore, a Railway servant on casual leave is technically not treated as absent from duty and his pay is not intermitted. Casual leave cannot be combined with any other kind of leave and joining time and also cannot be combined with the vacation allowed for school staff.

Casual leave, however, must not be given so as to cause evasion of the rules regarding :

- a. date of reckoning of pay and allowances;
- b. change of office;
- c. commencement and end of leave; and
- d. return to duty.

[Rule 236 & 507 of IREC –I & App. XXXI (IV) (2) of IREC-I 1974 Ed. & RBE No. 17/91]

Total casual leave admissible to different categories of railway servants in a calendar year is as under:-

- (i) 08 days To all Railway Servants who are eligible to avail of all Public holidays or Workshop paid-holidays.
- (ii) 08 days
 - a. Workshop staff
 - b. Railway servants in workshops not covered by the term workshop staff and Railway servants in Printing Presses and Stores Depots, who are getting 15 paid-holidays in a year;
- (iii) 08 days DMOs and ADMOs
- (iv) 08 days Apprentice khalsis, under training in Workshops and other Apprentices not governed by the Apprentices Act, Apprentices Mechanics 1961 attached to workshops and printing Presses, who are getting 15 paid-holidays in a year.
- (v) 08 days Trade Apprentices governed by the Apprentices Act, 1961 working in Establishments where proper leave rules do not exist or the total leave of different types admissible to the workers is less than 37 days in a year.

Rule 9 (1) (a) of Apprenticeship Rules 1962

- II) 10 days To all Railway servants who, because of the nature of their duties are not allowed to avail themselves of public holidays at all or are allowed to avail themselves only of a few public holidays.
- III) 10 days Artisan staff other than workshop staff, provided they are not covered by a collective option to convert casual leave into paid holidays
- IV) 10 days Casual Labourers who have attained temporary status and who are being allowed to avail of 3 National Holidays like regular line staff.
- V) 10 days Railway servants on the Northeast Frontier Railway described in para 2 (ii) of Board's letter No. E(G) 83 AL 12/8 dated 23.07.1984 **[RBE 44/98 & 70/04]**

Note : Additional benefit of 4 days will be applicable in the form of special casual leave, in a calendar year, to Railway employees with disability, for specific requirements relating to the disability of the official. **[RBE No. 201/08]**

Note- 1 Casual leave for half-a-day either for the pre-lunch periods, casual leave may be granted for half-a-day and if there is only one period of working on Saturday, the leave should be for a full day.

[RB.No.E(G)72LE21/41, Dt 10.04.73]

2 A Railway servant, who has taken casual leave for the half-a-day on the afternoon of a working day and is unable to resume duty on the next working day due to unexpected sickness or compelling grounds and he has no casual leave at his credit, may, as an exception to the general rule, be permitted to combine half-a-day's casual leave with regular leave. In no other situation can this facility be allowed
[RB L. No. E(G)65 LE29 dated 25.06.1966]

Compensatory Casual Leave

Compensatory Casual Leave is a leave admissible to non-gazetted railway servants (excluding supervisors) for attending duty / office on weekly rest / holiday / Sunday – Some important instructions in this regard are as under :-

1. Staff who are governed by the hours of Employment regulation and are required to attend office on Sunday and other holidays should be given only a compensatory off in lieu of such attendance and no conveyance hire. The staff not governed by those regulation may, however, in similar circumstances be given the option either to accept conveyance charge or compensatory off. (CCL).
[RB letter No. F(E)59/AL-7/(1) dated 8.7.1959 (NR PS No. 588)]
2. Compensatory leave in lieu of attendance on holiday should be availed by the staff concerned within 14 days of the gazetted holiday attended, after which this benefit will lapse.
[GM/NR No.433E/38(Eiv)dt 13.4.60 (NR PS No. 744)]
3. As far as possible compensatory 'off' be given to the staff governed by HOER in lieu of periodic rest spent in travelling on duty or happen to be on tour at an outstation on the day of rest and actually perform duty at that station.
[NR PS No. 2001]
4. Supervisory staff would not be eligible to the benefit of compensatory casual leave.
[GM/NR No. 433E/38(Eiv) dated 06.4.1963; (NR PS No. 2001)]
5. Compensatory leave should not be allowed to be prefixed or suffixed to earned leave, Sunday and other holidays as a normal rule. Discretion, however, being exercised for prefixing / suffixing compensatory leave to casual leave only by the authority competent to sanction earned leave.
[GM/NR No. 433E/38(Eiv) dated 15.06.1963. (NR PS No. 2068)]
6. Compensatory periods of rest due to an employee other than excluded class IV employee under the proviso to sub-section (4) of section 71 (D) of the act shall be granted within a month and to an excluded class IV employee within two months from the date of rest is foregone.
[Rly Bd letter No. E(s)158/Adj/25 dated 30.08.1962 & E(Trg)/Adj/33 dated 24.5.193. (NR PSNo. 2190)]
7. In supersession of instructions contained in NR PS No. 744, it was decided that compensatory leave in lieu of attendance on gazetted holiday should be availed of by the staff concerned within a period of one month of the gazetted holiday attended, after which the same will lapse. Such compensatory leave can be combined with regular leave, casual leave, holiday and Sunday (including other weekly offs) subject to the condition laid down in para 2219-RII.
[GM/NR No. 433E/38(Eiv) dated 14.09.1965 NR PS No. 3119)]
8. There is no prohibition nor is there sanction necessary for grant of compensatory rest even after the stipulated periods in rare cases where it may not be possible to adhere to the rules but it would be ensured by exercising adequate administrative control and check that there is no accumulation of compensatory rest over several months, aggregating to a regular spell of leave.
[Rly Bd letter No. E(LL)73/HER/36 dated 6.9.73 (NR PSNo. 5996)]
9. No railway servant in respect of whom an exemption has been made under rule 9 shall be required to work for more than fourteen days without a period of rest and shall be provided with compensatory rest within this period.

[Rule 13 of Railway servants (Hours of Work & Period of Rest) Rules 2005]

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