

# Andhra Pradesh State Civil Supplies Corporation Ltd.

## LEAVE REGULATIONS

### 1. SHORT TITLE :

These regulations may be called Andhra Pradesh State Civil Supplies Corporation Limited (Leave) Regulations, 1975.

### 2. APPLICATION :

These regulations shall come into force with immediate effect and shall apply to every employee of the corporation except persons employed on daily wages.

### 3. DEFINITIONS :

In these regulations unless the content other-wise requires :

- a) "Competent authority" in relation to the exercise of any power conferred by these regulations means the Board or any other Authority authorised in that behalf by a regulation or by a resolution of the Board, subject to such conditions and limitations, if any, as may be specified.
- b) "Completed years of service" means continuous service of the specified duration under Corporation and includes periods spent on duty as well as on leave including extraordinary leave.
- c) "Corporation" means Andhra Pradesh State Civil Supplies Corporation Limited.
- d) "Day" means a period of 24 hours beginning at midnight.
- e) "Duty" includes (i) Service as a probationer, (ii) Period during which an employee is on joining-time, (iii) Period spent on a course of instruction or training in India.
- f) "Earned Leave" means leave earned under the leave Regulations.
- g) "Employee" means a person employed by the Corporation, but does not include a person, who is employed on the basis of daily wages.
- h) "Half Pay leave" means leave taken under Regulation 36 below.
- i) "Leave" means any authorised leave of absence.
- j) "Leave Salary" means monthly amount admissible to an employee, who has been granted leave under these regulations.
- k) "Month" means a month current according to the Gregarian calender. In calculating the period expressed in terms of months and days, complete calender months irrespective of the number of days in each, should first be calculated and the odd number of days calculated subsequently.

- l) "Sick Certificate" means a certificate issued by the authorised medical attendant under the provisions regulating the reimbursement of medical attendance charges for employees.
- m) "Probationer" means an employee appointed to a post whose work is watched for a specified period to declare him as a person fit to hold that post.
- n) "Year" means a calendar year i. e., from 1st January to 31st December of each year.
- o) "Approved Probationer" means an employee, who has satisfactorily completed the period of probation prescribed for the said post.

**EXPLANATION :**

Words and expressions used in these regulations and those not herein defined, but defined in other regulations made by the Board, shall have respectively the meaning assigned to them in these regulations.

**4. KINDS OF LEAVE :**

Subject to the provisions of these regulations the following kinds of leave may be granted to an employee :

- (a) Casual Leave.
- (b) Earned Leave.
- (c) Sick Leave.
- (d) Extraordinary Leave.
- (e) Maternity Leave.
- (f) Special Leave.

**5. GENERAL CONDITIONS GOVERNING GRANT OF LEAVE :**

The following general principles shall govern the grant of leave to the employees :

- (a) Leave is earned by duty or service.
- (b) It cannot be claimed as a matter of right.

**6. POWER TO REFUSE OR REVOKE LEAVE :**

When the exigencies of service of Corporation so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it.

**7. CONDITIONS FOR AVAILING LEAVE :**

Sanction of leave may not be presumed and leave asked for should not be availed of unless it has been specifically sanctioned by competent authority in the manner herein provided.

**8. LAPSE OF LEAVE ON CESSATION OF SERVICE :**

- a) Subject to Regulation 26 all leave lapses at the time of retirement, death, discharge, dismissal, resignation or termination for any reason whatsoever.

b) Leave may not be granted to an employee under suspension. A competent authority may, however grant leave to an employee during the pendency of disciplinary proceedings.

b) i) The regular employees of the Corporation are allowed to encash the earned leave available to the credit of each individual on the event of their leaving the Corporation subject to the other rules in force.

**9. COMMENCEMENT AND END OF LEAVE :**

Leave ordinarily begins on the day on which charge is handed over or if charge is transferred in the afternoon, on the following day and ends on the day preceding that on which charge is resumed or that day if charge resumed on afternoon.

**10. COMBINATION OF LEAVE :**

Casual leave cannot be availed of in conjunction with any other kind of leave except special leave, if any subject to this condition that any kind of leave under these regulations can be granted in combination with or in continuation of any other kind of leave.

**11. SANCTIONING AUTHORITY :**

a) **CASUAL LEAVE :** The Managing Director will grant casual leave to the Officers and subject to such direction as may be issued by him, or any officer authorised by the Managing Director in this behalf will grant leave to other employees as may be working under them.

b) The Managing Director may, at his absolute discretion grant special leave to any employee for purposes of participating in inter-State sports or sterilization operations etc. Such leave shall not be more than a week in any year and it shall not be debited to any leave account.

**12. AUTHORITIES EMPOWERED TO GRANT LEAVE :**

a) The power to grant leave shall vest with the Managing Director or any other officer authorised in that behalf by the Managing Director. All applications for leave shall be addressed to the Authority empowered to grant leave.

b) An employee, who desire to obtain leave of absence, other than casual leave, shall apply in writing to the Managing Director or any other officer appointed for the purpose. Such applications for leave shall be made not less than fifteen days before the date from which the leave is to commence, except in urgent cases of unforeseen circumstances, including illness, when it is not possible to do so. The Managing Director or the Officer empowered by him in this behalf shall issue orders on such applications as soon as practicable and in cases of an urgent nature immediately. If the leave asked for is granted, an order showing the date of commencement of the leave and the date on which the employee will have to resume duty shall be issued to him.

13. If an employee after proceeding on leave desires an extension thereof; he shall make an application in writing to the Managing Director or other officers appointed for that purpose. Such application shall state the full postal and telegraphic address of the employee and shall be made giving sufficient time to consider the application and send a reply to him before the expiry of the leave desired to be extended. A written reply either of the grant or refusal of extension shall be sent to the employee at the address given by him if such reply is likely to reach him before the expiry of the leave originally granted to him.
14. No leave or extension of leave shall be deemed to have been granted unless an order to that effect is passed and communicated to the employee concerned,
15. An employee, who overstays his leave (except under satisfactory explanation) shall not be paid his pay and allowances (other than house rent allowance based on pay i. e., basic pay etc., officiating and special allowance if any last drawn) for the period he overstays and shall further render himself liable to such disciplinary action as may be taken by the Board or Managing Director as the case may be.
16. Unless, he is permitted to do so by the authority which granted him leave, an employee will not be entitled to return to duty before the expiry of the period of leave granted to him.
17. An employee shall before proceeding on leave, intimate to the competent authority, his address while on leave and shall keep the said authority informed of any change in the address previously furnished.
18. An employee on leave shall unless otherwise instructed to the contrary, return for duty to the place at which he was last stationed.
19. The competent authority may require an employee, who has availed himself of leave for reasons of health, to produce a medical certificate of fitness before he resumes duty, even though such leave was not actually granted on a medical certificate.
20. **LIMITS OF JURISDICTION :**  
No employee can leave his head-quarters or the limits of his jurisdiction in anticipation of leave without permission of the competent authority. Ordinarily, municipal limits of the place, where the head-quarters office is situated will be considered to be the limits of the head-quarters, except in case of camps in which case the limits of the respective camps will be deemed to be head-quarters.
21. **SERVICE COUNTING FOR LEAVE :**  
"The earned leave shall accrue from the date of joining duty to all employees except those engaged on daily wages".
22. **CASUAL LEAVE :**
  - a) An employee shall be entitled to casual leave upto a maximum of 15 days in each calendar year provided that not more than 6 days may be taken at any one

time. He may be permitted to prefix, suffix and avail intervening holidays. Casual leave un-availed of at the end of the calendar year shall lapse.

- b) Ordinarily, the previous permission of the sanctioning authority shall be obtained before taking such leave. When this is not possible, the said authority shall be informed as soon as practicable in writing or if writing is not possible, orally or through any person, of the employees absence from work, reason thereof and of the probable duration of such absence. In any event, a written application shall be submitted to such authority latest on the day the employee resumes duty. In no case will an employee take casual leave on frivolous grounds.
- c) Casual Leave is only intended to meet special or unforeseen circumstances for which provision cannot be made by exact rules. Public holidays and Sundays shall not be prefixed or suffixed to casual leave without the previous permission of the Officer granting such leave. Casual Leave cannot be added to any kind of leave, except special leave, if any or joining time.
- d) Any absence from duty, without satisfying the requisite conditions under which leave may be taken or obtained, would justify the competent authority, after giving the employee an opportunity to explain, in treating the employee not as on casual leave, but as being absent without leave on loss of pay and allowances.
- e) An employee on casual leave shall be entitled to pay and allowances as if he was on duty.

#### 23. COMPENSATORY HOLIDAYS :

Employees who are asked to attend duties on authorised holidays by an express order by the officer under whom they are working will be eligible to a compensatory holiday on any working day after necessary approval by the concerned officer. Such compensatory holidays shall be availed of within 30 days from the date of such holidays on which they have worked and shall not exceed 7 days in a year. This will be in addition to 15 days of Casual Leave normally allowed to the employees in an year. This compensatory leave can be availed in the same manner as casual leave and cannot be combined with other leave.

#### 24. EARNED LEAVE :

- a) i) The account of leave of a regular employees should be credited with 30 days earned leave in two instalments, 15 days on 1st January and 1st of July every year.
- ii) The account of leave of a temporary employee other than a person employed on daily wages, should be credited with 16 days earned leave in two instalments, 8 days on 1st January and 1st of July every year.
- iii) The credit afforded under Clauses I and II above shall be reduced by 1/10 of the period of extraordinary leave only availed of during the previous half year, subject to a maximum of 15 days.

- iv) In case of employees appointed on or after 1st January 1979, earned leave should be credited to their leave account at the rate of 2 1/2 days for regular employees and 1 1/2 days for temporary employees, for each completed month of service which they are likely to render in the calendar half-year in which they are appointed. Example : If one is appointed on 13th March, the number of complete months of his service in that half year will be 3.
- v) The credit for the half year in which an employee retires or resigns from service shall be afforded only at the rate of 2 1/2 days in case of regular employees and 1 1/2 days in case of temporary employees for each completed month in that half year upto the date of retirement/resignation. If the leave availed of by an employee who resigns from a service is more than the credit so due to him, necessary adjustment should be made in respect of leave salary over drawn, if any".
- vi) When affording credit under the above method, fractions of a day if it is half or more than half a day, shall be rounded off to the nearest day and fractions of less than half a day shall be ignored.
- vii) "The entries in respect of other kinds of leave in the leave account of an employee shall be made as and when occasion for doing so arises. In the case of the existing employees the old leave account has to be closed and the credit of leave as on 31-12-78 has to be carried forward to the new leave account. While doing so fractions of a day, if it is half or more than half a day will be rounded off to the nearest day and fractions less than half a day shall be ignored.
- viii) "The orders sanctioning earned leave, half pay leave shall hereafter indicate the balance of such leave at his credit.

b) **PERIOD OF ACCUMULATION :**

Earned leave may be accumulated upto a total period of 240 days. All leave accumulated beyond this period shall be considered as having lapsed, except where such additional accumulation is caused by the refusal of leave by the management in the interest of the Corporation and the prior consent of the Managing Director is taken in writing on his application.

**25. EARNED LEAVE NOT ACCOUNTABLE FOR TERMINATION OF SERVICE :**

The unavailed portion of the earned leave to the credit of the employee shall not be accountable towards the period of notice required to be given by him with reference to his appointment orders.

**26. ENCASHMENT OF LEAVE :**

- (a) (i) An employee in the service of the Corporation shall be permitted to surrender earned leave not exceeding 15 or 30 days in a block of 1 or 2 year(s) without having to go on leave and receive cash value equivalent to leave

salary and allowances in lieu of the leave so surrendered. Provided that such surrender of leave in lieu of leave salary shall be made not earlier than completion of one year of service.

(2) An employee in the service of the Corporation shall also be eligible to surrender earned leave at his credit at the time of his retirement, subject to a maximum of 240 days and receive cash value equivalent to leave salary and allowances in lieu of leave so surrendered.

(3) The heirs of a deceased employees shall be eligible to receive cash value equivalent to leave salary and allowances in lieu of the earned leave at his credit at the time of death, subject to a maximum of 240 days.

(b) The rate per month of cash value of Earned leave surrendered by an employee shall be the sum total of the monthly rates of leave salary and allowances to which the employee is eligible from the date of the surrender. For this purpose, a month consists of 30 days irrespective of the month in which the leave is surrendered.

#### 27. SICK LEAVE :

(a) An employee shall be granted sick leave at the rate of one month for each year of service subject to a maximum of 12 months during his entire service, provided that where an employee has put in a service of over 24 years, he shall be eligible to additional sick leave at the rate of one month for each year of service in excess of 24 years subject to a maximum 3 months of additional sick leave.

(b) Sick leave shall be on half pay; provided that if an employee has served the Corporation for atleast a period of two years, he shall if he so requests, be permitted to avail himself of sick leave on full substantive pay being entered as twice the amount of leave taken in his sick leave account. Additional sick leave provided under above clause, shall however, not be convertible into leave on full substantive pay.

28. The Board may, in special cases, grant sick leave beyond what is provided herein before, on one fourth pay.

29. All sick leave shall be granted on production of medical certificate acceptable to the Corporation.

(a) Half pay leave may be granted on private affairs and shall not exceed 180 days at a time.

#### 30. PAY DURING LEAVE ON MEDICAL GROUNDS :

An employee on leave on medical grounds is entitled to leave salary as specified in clause (3) of Regulation 36 provided that if he has any earned leave to his credit by that date, he may set off the period against the leave on Medical grounds and draw full pay for that period vide clause (4) of the Regulation 36.

**31. RETURN TO DUTY FROM LEAVE ON MEDICAL CERTIFICATE :**

An employee on leave on medical certificate may not return to duty without producing a medical certificate of fitness. The competent authority may require an employee, who has availed of leave for reasons of health, to produce a medical certificate of fitness, even though such leave was not granted on medical certificate.

**32. EXTRAORDINARY LEAVE :**

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

A) In case of Non-permanent Corporation employee the duration of extraordinary leave on any one occasion shall not exceed the following limits.

i) Three months

ii) Six months in case where the Corporation employee has completed three years continuous service on the date of expiry of leave of the kind due and admissible under the rules (including three months extraordinary leave under (i) above and his request for such leave supported by medical certificate as required under rules.

iii) Eighteen months where the Officer is undergoing treatment for.

a) Pulmonary tuberculosis or pleurisy of tubercular origin in a recognised sanatorium or;

b) Tuberculosis of any other part of the body by a qualified tuberculosis specialist or Civil Surgeon, or

c) Leprosy in a recognised leprosy institution or by a Civil Surgeon or a specialist in leprosy recognised as such by the State Adm. Medical Officer concerned.

**NOTE :** (1) The Concession of E.O.L. upto eighteen months will be admissible also to a Corporation employee suffering from pulmonary tuberculosis or pleurisy of tubercular origin who receives treatment at his residence under a Tuberculosis specialist recognised as such by the State Adm. Medical Officer concerned and produces a certificate signed by that specialist to the effect that he is under his treatment and that he has reasonable chances of recovery on the expiry of the leave recommended.

(2) The concession of E.O.L. upto eighteen months under this sub-rule will be admissible only to those Corporation employees who have been in continuous Corporation service for a period exceeding one year.

d) Twelve months where the Corporation employee is under-going treatment for cancer or for mental illness in an institution recognised for the treatment of such disease or by a Civil Surgeon or a specialist in such disease.

- e) Twenty four months where the leave is required for the purpose of prosecuting studies certified to be in the public interest.

Provided that the Corporation employee has completed three years continuous service on the date of expiry of leave of the kind due and admissible under the rules (including three months E. O. L. under rule 32 (A) (i) above.

**NOTE :** This concession will be admissible only to those Corporation employees who have been in continuous service for a period exceeding one year.

- B) Unless the Corporation, in view of the exceptional circumstances of the case otherwise determines, no Corporation employee who is not a permanent employee shall be granted extraordinary leave in excess of the limits prescribed in sub-rule (i) of rule 32 (A).
- C) The authority empowered to grant leave may retrospectively commute the periods of absence without leave into extraordinary leave.
- D) Extraordinary leave may be granted in special circumstances (1) when no other leave is by rule admissible or (2) when other leave being admissible, the Corporation employee applies in writing for the grant of E.O.L. Such leave is not debited against leave account. No leave salary is admissible during such leave.
- E) The authority which has the power to sanction leave may grant extraordinary leave as in (D) above in combination with or in continuation of any leave that is admissible, and may commute retrospectively periods of absence without leave into E. O. L.

Extraordinary leave may be granted either by itself or in combination with, or in continuation of other leave subject only to the provision under rule-32 above.

- F) No pay and allowances are admissible during the period of extraordinary leave and the period spent on such leave shall not count for increment, provided that in cases where the sanctioning authority is satisfied that the leave was taken on account of illness or for any other cause beyond the employee's control it may direct that the period of extraordinary leave may count for increment.

### 33. MATERNITY LEAVE :

- a) The Managing Director may grant maternity leave to a female employee who has put in at least one year of continuous service of the Corporation for a period of 90 days from the date of its commencement. Such leave shall not be debited to the leave account of the employee.
- b) Maternity leave shall also be admissible in cases of miscarriage or abortion on production of medical certificate, provided that such leave shall not exceed maximum six weeks at any time.
- c) In no case, the maternity leave shall be granted to a female employee more than three times during the entire period of service.

- d) The leave salary admissible during the period of maternity shall be regulated as in the case of earned leave.
- e) A female employee may be granted leave of any other kind admissible to her in combination with or in continuation of maternity leave, if the request for its grant is supported by medical certificate.

#### 34. SPECIAL CASUAL LEAVE :

The Managing Director may grant special casual leave without being subject to all or any of the limitations laid down in regulation 22 of these regulations.

- a) When the absence from duty is necessitated in consequence of infectious disease in the family or household of an employee.
- b) When the absence is necessitated by reason of an employee who is a member of the Auxillary Force in India, Air Raid Precautions, Home Guards or other Civil Defence Organisations etc., having to attend an annual camp or be on training, provided that the total period of leave granted under this head shall in no case exceed 30 days in any one calendar year and if this leave shall result in the total period being extended beyond 30 days, any period of absence in excess of 30 days shall be treated as regular leave with leave salary as may be due to him and thereafter extraordinary leave.
- c) When an employee is summoned to serve as a Juror or Assessor or to give evidence before a Court in Indian or foreign territories as witness in Civil and Criminal case in which his private interests are not in issue, the leave to cover the total period of absence necessary.
- d) The employees of the Corporation shall be governed by the rules of the Government with regard to sanction of special casual leave under family welfare programme.

#### 35. LEAVE TO PART TIME EMPLOYEES & CONTINGENT STAFF :

Part-time employees and the employees borne on contingent establishment are eligible only for weekly holidays. They are not eligible for any other leave on full pay. They may, however, be granted extraordinary leave, if so desired, for a short period for which no leave salary will be admissible.

#### 36. LEAVE SALARY :

- i) A permanent employee on earned leave is entitled to leave salary equal to his substantive pay on the day before the leave commences. PROVIDED THAT if immediately before proceeding on such leave, he was continuously officiating in a higher post for a period of not less than six months, he shall be entitled to leave salary equal to the officiating pay he was drawing on the day before the commencement of the leave.

**EXPLANATION :**

The expression "substantive pay" means the pay excluding the special pay and deputation pay, but including personal pay and any other emoluments classified as pay admissible in the permanent post, which the employee holds, substantive or on which he holds as lien or a provisional lien.

- 2) A non permanent employee on earned leave is entitled to leave salary equal to his pay on the last day of duty prior to commencement of leave.

**EXPLANATION :**

The expression "Non-permanent employee" includes an apprentice or a probationary officer, but not a temporary employee.

- 3) An employee on half pay leave is entitled to leave salary equal to half the amount admissible under clause (1) and of clause (2) above, as the case may be.
- 4) An employee on commuted leave is entitled to leave salary equal to the amount admissible under clause (1) above.
- 5) An employee on extraordinary leave is not entitled to any leave salary.

**37. UNAUTHORISED EMPLOYMENT DURING LEAVE :**

An officer or employee of any rank, who is on leave or otherwise, should not take service or accept any employment or do any business, which involves the receipt of fee, salary or honorarium, emoluments or profit, directly or indirectly, without obtaining the previous sanction of the Managing Director or the Board of Directors, as the case may be and any contravention of this Rule shall result in the forfeiture of all the privileges the employee may be entitled to, including the Corporation's contribution to the provident fund.

**38. PROVISION FOR OFFICERS LENT ON SPECIAL TERMS :**

Lent or contract officers will be governed in the matter of leave by such rules as are applicable to them by special terms and conditions under which their services are taken by the Corporation. If there are no particular terms and conditions specified in their appointment orders, then the Corporation's Regulations shall apply.

**39. MAINTENANCE OF LEAVE ACCOUNT :**

- a) A leave account shall be maintained in respect of each employee in which particulars of the various kinds of leave availed of by him from time to time shall be entered by the authority charged with the responsibility of maintaining the employee's leave account.
- b) The amount of leave due to an employee is the balance of leave at his credit in the leave account.

**40. MISCELLANEOUS :**

Relaxation of the Provisions of the Regulations.

- a) Notwithstanding anything contained in these regulations the Board shall have power to deal with the case of any employee in such a manner as may appear to it to be just and equitable. PROVIDED THAT while any such regulation is applicable to the case of an employee the case shall not be dealt with in any manner less favourable to the employee than that provided by the regulation.
- b) The Managing Director may issue such orders not inconsistent with the provisions of these regulations as he may consider necessary to give effect to and carry out the purpose of the provisions of these regulations.
- c) In particular and without prejudice to the generality of the forgoing power, such orders may provide for all or any of the following matters viz.,
  - i) making application for leave, extension of leave and for permission to return from leave.
  - ii) granting of leave.
  - iii) the payment of leave salary.
  - iv) the maintenance of records of leave and
  - v) the form of medical certificate required and produced under these regulations.

**41. INTERPRETATIONS :**

Where doubt arises as to the interpretation of the any provisions of the regulations, it shall refer to the Managing Director whose decision shall be final.

**42. SAVING CLAUSE :** Whenever regulations of the Corporation are silent, Government rules will automatically apply in such cases.