

GOVERNMENT OF NAGALAND
FINANCE DEPARTMENT
ESTABLISHMENT BRANCH (ROP CELL)

OFFICE MEMORANDUM

No. FIN/ESTT-4/15/Leave Rules/20

Dated: 26th February, 2026

Subject: Leave and leave entitlement.

1. The Finance Department have been issuing various guidelines on applicability of leave and leave entitlements in piecemeals for the State Government employees. The Finance Department in consultation with the Personnel & Administrative Reforms Department, has come up with a comprehensive guideline on applicability of leave and leave entitlements for the **regular** State Government employees.

2. Conditions for grant of leave:

A. Right to leave

(I) Leave cannot be claimed as of right.

(II) When the exigencies of public service so require, leave of any kind may be refused or revoked by the authority competent to grant it, but it shall not be open to that authority to alter the kind of leave due and applied for except at the written request of the Government servant.

Provided that leave applied under Clause 2 (M), shall not be refused or revoked without reference to the Medical Authority, whose advice shall be binding.

B. Regulation of claim to leave

A Government servant's claim to leave is regulated by the rules in force at the time the leave is applied for and granted.

C. Effect of dismissal, removal or resignation on leave at credit

(I) Except as provided in clause 3 (I) and this clause, any claim to leave to the credit of a Government servant, who is dismissed or removed or who resigns from Government service, ceases from the date of such dismissal or removal or resignation.

(II) Where a Government servant applies for another post under the State Government but outside his parent office or department and if such application is forwarded through proper channel and the applicant is required to resign his post before taking up the new one, such resignation shall not result in the lapse of the leave to his credit.

(III) A Government servant, who is dismissed or removed from service and is reinstated on appeal or revision, shall be entitled to count for leave his service prior to dismissal or removal, as the case may be.

(IV) A Government servant, who having retired on compensation or invalid pension or gratuity is re-employed and allowed to count his past service for pension, shall be entitled to count his former service towards leave.

D. Commutation of one kind of leave into another

(I) At the request of a Government servant, the authority which granted him leave may commute it retrospectively into leave of a different kind which was due and admissible to him at the time the leave was granted, but the Government servant cannot claim such commutation as a matter of right.

Provided that no such request shall be considered unless received by such authority, or any other authority designated in this behalf, within a period of 30 days of the concerned Government servant joining his duty on the expiry of the relevant spell of leave availed of by him.

(II) The commutation of one kind of leave into another shall be subject to adjustment of leave salary on the basis of leave finally granted to the Government servant, that is to say, any amount paid to him in excess shall be recovered or any arrears due to him shall be paid.

NOTE.- Extraordinary leave granted on medical certificate or otherwise may be commuted retrospectively into leave not due subject to the provisions of clause 3 (D).

E. Combination of different kinds of leave

Except as otherwise provided in these rules, any kind of leave under these rules may be granted in combination with or in continuation of any other kind of leave.

Explanation.- Casual leave which is not recognized as leave and shall not be combined with any other kind of leave admissible under these Office Memorandum.

F. Maximum amount of continuous leave

(I) No Government servant shall be granted leave of any kind for a continuous period exceeding five years.

(II) Unless the Governor, in view of the exceptional circumstances of the case, otherwise determines, a Government servant who remains absent from duty for a continuous period exceeding five years other than on foreign service, with or without leave, shall be deemed to have resigned from the Government service:

Provided that a reasonable opportunity to explain the reasons for such absence shall be given to that Government servant before provisions of sub-clause (II) are invoked.

Provided that this rule shall not apply to a case where leave is applied on medical certificate, in connection with a disability.

G. Acceptance of service or employment while on leave

(I) A Government servant (other than a Government servant who has been permitted a limited amount of private practice or who has been permitted to undertake casual literary work or service as an examiner or similar employment) while on leave, including leave preparatory to retirement shall not take up any service or employment elsewhere, including the setting up of a private professional practice as accountant, consultant or legal or medical practitioner, without obtaining the previous sanction of -

(a) the Governor, if the proposed services or employment lies elsewhere than in India; or

(b) the authority empowered to appoint him, if the proposed service or employment lies in State.

(II)(a) No Government servant while on leave, other than leave preparatory to retirement shall ordinarily be permitted to take up any other service or employment.

(b) If grant of such permission is considered desirable in any exceptional case, the Government servant may have his services transferred temporarily from his parent office to the office in which he is permitted to take up service or employment or may be required to resign his appointment before taking up any other service or employment.

(c) A Government servant while on leave preparatory to retirement shall not be permitted to take up private employment. He may, however, be permitted to take up employment with a Public Sector Undertaking or a body referred to in clause 3 (H) (2) (a) and in that event also leave salary payable for leave preparatory to retirement shall be the same as admissible under clause 3 (K).

(III)(a) In case a Government servant who has proceeded on leave preparatory to retirement is required, before the date of retirement for employment during such leave in any post under the State Government in or outside India and is agreeable to return to duty, the unexpired portion of the leave from the date of rejoining shall be cancelled.

(b) The leave so cancelled under sub-clause (a) shall be allowed to be encashed in the manner provided in clause 3 (I) (B).

H. Application for leave

Any application for leave or for extension of leave shall be made in Form 1 to the authority competent to grant leave.

Provided that where a Government servant is unable to submit an application or medical certificate on account of a disability, such application or medical certificate may be signed and submitted by

(a) the spouse of the Government servant; or

(b) the parents in case of an unmarried Government servant; or

(c) the child including adopted child or brother or sister of the Government servant, who has attained the age of majority; or

(d) any person who has been assigned limited guardianship of the Government servant in terms of Section 14 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016), and the same shall be deemed to have been made and submitted by the Government servant himself.

I. Leave account

Except as provided in the Note below, a leave account shall be maintained in Form 2 for each Government servant by the Office of the Pr. Accountant General (A&E), Nagaland in the case of Gazetted Government servants and by the Head of Office or an officer authorized by him in the case of non-Gazetted Government servants.

NOTE.- In the case of Gazetted Government servants whose pay and allowances are drawn and disbursed by the Head of Office, the leave account shall be maintained by that Head of Office.

J. Verification of title to leave

(I) No leave shall be granted to a Government servant until a report regarding its admissibility has been obtained from the authority maintaining the leave account.

NOTE.- The order sanctioning leave shall indicate the balance of earned leave/half pay leave at the credit of the Government servant.

(II)(a) Where there is reason to believe that the obtaining of admissibility report will be unduly delayed, the authority competent to grant leave may calculate, on the basis of available information, the amount of leave admissible to the Government servant and issue provisional sanction of leave for a period not exceeding sixty days.

(b) The grant of leave under this sub-rule shall be subject to verification by the authority maintaining the leave account and a modified sanction for the period of leave may be issued, where necessary.

(c) In the case of Gazetted Government servants, the Audit Officer may, at the request of the authority competent to grant leave, issue a provisional leave salary slip for a period not exceeding sixty days.

NOTE.- In the case of leave preparatory to retirement or where cash payment in lieu of leave at credit is granted under clause 3 (I) an undertaking for recovery of the leave salary, if any, paid in excess, shall be taken from the Government servant.

K. Leave not to be granted in certain circumstances

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

L. Grant of leave on medical certificate to Gazetted and non- Gazetted Government servants

(I) An application for leave on medical certificate made by—

(i) a Gazetted Government servant, shall be accompanied by a Medical Certificate in Form 3 given by a doctor in a State Government Health Scheme Dispensary if such a Government servant is a State Government Health Scheme beneficiary or by a Government Hospital or by an Authorized Medical Attendant if he is not a State Government Health Scheme beneficiary and by an Authorized Doctor of the private hospital recognized under State Government Health Scheme or Central Services (Medical Attendance) Rules, 1944, in case of hospitalization or indoor specialized treatment in respect of any particular kind of disease like heart disease, cancer, etc., for the treatment of which the concerned hospital has been recognized by the Health and Family Welfare Department:

Provided that the Gazetted Government servant who is a State Government Health Scheme beneficiary, if at the time of illness, is away from State Government Health Scheme area or proceeds on duty outside the Headquarters will produce Medical Certificate or Fitness Certificate in Form 3 and Form 5, as the case may be, given by an Authorized Medical Attendant;

(ii) a non-Gazetted Government servant, shall be accompanied by a Medical Certificate in Form 4 given by a State Government Health Scheme Dispensary if such a Government servant is a State Government Health Scheme beneficiary or by Government Hospital or by an Authorized Medical Attendant if he is not a State Government Health Scheme beneficiary; and by an Authorized Doctor of the private hospital, recognized under State Government Health Scheme or Central Services (Medical Attendance) Rules, 1944, in case of hospitalization or indoor specialized treatment duly approved by the Competent Authority in respect of particular kind of disease like heart disease, cancer, etc., for the treatment of

which the concerned hospital has been recognized by the Health and Family Welfare Department:

Provided that the non-Gazetted Government servant who is a State Government Health Scheme beneficiary, if at the time of illness is away from State Government Health Scheme area or proceeds on duty outside the Headquarters will produce Medical Certificate or Fitness Certificate in Form 4 or Form 5, as the case may be, given by an Authorized Medical Attendant or by Registered Medical Practitioner if there is no Authorized Medical Attendant available within a radius of eight kilometers from his residence or place of temporary stay outside his Headquarters and also in the circumstances when he finds it difficult to obtain Medical Certificate or Fitness Certificate from a Doctor in a State Government Health Scheme Dispensary or an Authorized Medical Attendant; defining clearly the nature and probable duration of illness.

NOTE.— In the case of non-Gazetted Government servant, a certificate given by a registered Ayurvedic, Unani or Homoeopathic medical practitioner or by a registered Dentist in the case of dental ailments or by an honorary Medical Officer may also be accepted, provided such certificate is accepted for the same purpose in respect of its own employees by the Government of the State in which the State Government servant falls ill or to which he proceeds for treatment.

(II) In case of a Government servant who has acquired disability, the Medical Authority shall certify, in Form 3-A,-

(a) the nature and extent of the disability;

(b) the date from which such disability has occurred or manifested, to the extent it may be medically possible to indicate the same;

(c) whether there are reasonable prospects for the Government servant to be fit to resume duties, and if not, categorically state that such Government servant is completely and permanently incapacitated for further service.

(d) For the purposes of this Office Memorandum, a doctor in State Government Health Scheme *or* a Government Hospital, *or* a specialist in Government Hospital in cases requiring specialized treatment, *or* a Medical Board in a Government Hospital in the case of multiple disabilities shall, in addition to the authority certifying specified disability under the provisions contained in Chapter X of the Rights of Persons with Disabilities Act, 2016 (49 of 2016), be the Medical Authorities competent to issue certificate of disability in Form 3-A.

(e) Notwithstanding anything in these Office Memorandum, no reference from the Head of Office or any other authority may be required for issue of medical certificate of disability.

(f) The authority competent to grant leave may, at its discretion, secure a second medical opinion by requesting a Government Medical Officer not below the rank of a Chief Medical Officer, to have the applicant medically examined on the earliest possible date.

(g) It shall be the duty of the Government Medical Officer referred to in sub- clause (f) to express an opinion both as regards the facts of the illness and as regards the necessity for the amount of leave recommended and for that purpose may either require the applicant to appear before himself or before a Medical Officer nominated by himself.

(h) The grant of medical certificate under this Office Memorandum does not in itself confer upon the Government servant concerned any right to leave; the medical certificate shall be forwarded to the authority competent to grant leave and orders of that authority awaited.

(g) The authority competent to grant leave may, in its discretion, waive the production of a medical certificate in case of an application for leave for a period not exceeding three days at a time. Such leave shall not, however, be treated as leave on medical certificate and shall be debited against leave other than leave on medical grounds.

M. Leave to a Government servant who is unlikely to be fit to return to duty

(I)(a) When a Medical Authority has reported that there is no reasonable prospect that the Government servant will even be fit to return to duty, leave shall not necessarily be refused to such Government servant.

(b) The leave may be granted, if due, by the authority competent to grant leave on the following conditions:—

(i) if the Medical Authority is unable to say with certainty that the Government servant, who has acquired a disability, will never again be fit for service, leave not exceeding twelve months at a time may be granted and such leave shall not be extended without further reference to a Medical Authority;

(ii) if a Government servant is declared by the Medical Authority, as specified in clause 2 (L), as to have acquired such disability which may prevent him from discharging further service, leave or an extension of leave may be granted to him after the certificate of the Medical Authority has been received in Form 3-A:

Provided that any leave debited for the period(s) granted under sub- clause (b) (i), after receipt of the certificate of disability of the Medical Authority, shall be remitted back into the leave account of the Government servant:

Provided further that any leave granted to regulate the period of absence under sub-clause (b) (ii), after receipt of the certificate of the Medical Authority, shall not be debited to the leave account of the Government servant.

(II) In the case of a Government servant who is granted leave in accordance with the provisions of sub-clause (I)(b), the provisions of Section 20 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016) shall, *suo motu*, apply.

N. Commencement and termination of leave

Except as provided in clause 2 (O), leave ordinarily begins on the day on which the transfer of charge is effected and ends on the day preceding that on which the charge is resumed.

O. Combination of holidays with leave

(I)(i) When the day, immediately preceding the day on which a Government servant's leave (other than leave on medical certificate) begins or immediately following the day on which his leave expires, is a holiday or one of series of holidays, the Government servant shall be deemed to have been permitted (except in cases where for administrative reasons permission for prefixing/suffixing holidays to leave specifically withheld) to leave his station at the close of the day before, or return to it on the day following such holiday or series of holidays, provided that—

- (a) his transfer or assumption of charge does not involve the handling or taking over of securities or moneys other than a permanent advance;
- (b) his early departure does not entail a correspondingly early transfer from another station of a Government servant to perform his duties; and
- (c) the delay in his return does not involve a corresponding delay in the transfer to another station of the Government servant who was performing his duties during his absence or in the discharge from Government service of a person temporarily appointed to it.

(ii) In the case of leave on medical certificate-

- (a) When a Government servant is certified medically unwell to attend office, holiday(s), if any, immediately preceding the day he is so certified shall be allowed automatically to be prefixed to leave and the holiday(s) if any, immediately succeeding the day he is so certified (including that day) shall automatically be allowed to be suffixed to the leave, and holiday(s), if any, preceding the day he is so certified shall be treated as part of the leave; and
- (b) When a Government servant is certified medically fit for joining duty, holiday(s) if any, succeeding the day he is so certified (including that day) shall automatically be allowed to be suffixed to the leave, and holiday(s), if any, preceding the day he is so certified shall be treated as part of the leave.

(II) On condition that the departing Government servant remains responsible for the moneys in his charge, the Head of Department may, in any particular case, waive the application provided under sub-clause (I) (i)(a).

(III) Unless the authority competent to grant leave in any case otherwise directs -

- (a) if holidays are prefixed to leave, the leave and any consequent rearrangement of pay and allowances take effect from the day after the holidays; and
- (b) if holidays are suffixed to leave, the leave is treated as having terminated and any consequent rearrangement of pay and allowances takes effect from the day on which the leave would have ended if holidays had not been suffixed.

NOTE.- A compensatory leave granted in lieu of duty performed by a Government servant on Sunday or a holiday for a full day may be treated as a holiday for the above purpose.

P. Recall to duty before expiry of leave

(I) In case a Government 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 Government 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 for the station to which he is ordered, and to draw -

(i) travelling allowance under rules made in 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 duty for purposes 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 his 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) travelling allowance, under the rules for the time being in force, for travel from the place of landing in India to the place of duty.

Q. Return from leave

(I) A Government 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.

(II) Notwithstanding anything contained in sub-clause (I), a Government 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.

(III)(a) A Government servant who has taken leave on medical certificate may not return to duty until he has produced a medical certificate of fitness in Form 5.

(b) If the Government servant is a gazetted officer the certificate under sub-clause (a) shall be obtained from a Medical Board, except in the following cases:-

(i) Cases in which the leave is for not more than three months;

(ii) Cases in which leave is for more than three months or leave for three months or less is extended beyond three months, and the medical Board states, at the time of granting the original certificate or the certificate for extension, that the Government servant need not appear before another Medical Board for obtaining the certificate of fitness.

(c) In cases falling under sub-clause (b) the certificate may be obtained from the Chief Medical Officer, the District Medical Officer, a Civil Surgeon, or the Medical Superintendent of the hospital concerned.

(d) In the case of a non-Gazetted Government servant, the authority under which the Government servant is employed on return from leave may, in its discretion, accept a certificate signed by a Registered Medical Practitioner.

(IV)(a) A Government 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.

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

NOTE.- A Government servant who had been suffering from Tuberculosis may be allowed to resume duty on the basis of fitness certificate which recommends light work for him.

R. Absence after expiry of leave

(I) Unless the authority competent to grant leave extends the leave, a Government 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 half pay leave, to the extent such leave is due, the period in excess of such leave due being treated as extraordinary leave.

(II) Wilful absence from duty after the expiry of leave renders a Government servant liable to disciplinary action.

3. Kinds of leave due and Admissible

A. Earned Leave:

- a. The leave account of every Government servant other than a vacation department shall be credited with earned leave, in advance in two instalments of 15 days each on the first day of January and July of every calendar year.
- b. The leave at credit of a Government 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 do not exceed the maximum limit of 300 days.

Provided that where the earned leave at the credit of Government servant as on the last day of December or June is 300 days or less but more than 285 days, the advance credit of 15 days earned leave on first day of January or July to be afforded in the manner indicated under sub-clause (a) shall instead of being credited in leave account be kept separately and first adjusted against the earned leave that the Government servant takes during that half-year and the balance, if any, shall be credited to the leave account at the close of the half-year, subject to the condition that balance of such earned leave plus leave already at credit do not exceed the maximum limit of 300 days.

- c. The maximum limit of earned leave granted at a time shall be 180 days.
- d. Earned shall be credited to the leave account of Government servant at the rate of 2½ days for each completed calendar month of service which he is likely to render in a half-year of the calendar year in which he is appointed.
- e. The credit for the half-year in which a Government servant is due to retire or resigns from the service shall be afforded only at the rate of 2½ days per completed calendar month up to the date of retirement or resignation.
- f. When a Government servant is removed or dismissed from service, credit of earned leave shall be allowed at the rate of 2½ days per completed calendar month up to the end of the calendar month preceding the calendar month in which he is removed or dismissed from service.
- g. When a Government servant dies while in service, credit of earned leave shall be allowed at the rate of 2½ days per completed month of service up to the date of death of the Government servant.
- h. If a Government servant has availed of extraordinary leave and/or some period of absence has been treated as dies non in a half-year, the credit to be afforded to his leave account at the commencement of the next half-year shall be reduced by 1/10th of the period of such leave and/or dies non subject to maximum of 15 days.
- i. While affording credit of earned leave, fractions of a day shall be rounded off to the nearest day.

j. Earned leave for State Government employees serving in Vacation Department.

- (i) The leave account of every Government servant who is serving in a Vacation Department shall be credited with earned leave, in advance in two instalments of five days each on the first day of January and July of every calendar year.
- (ii) In respect of any year in which a Government servant avails a portion of the vacation, he shall be entitled to additional earned leave in such proportion of twenty days, as the number of days of vacation not taken bears to the full vacation, provided the total earned leave credited shall not exceed thirty days in a calendar year.
- (iii) If, in any year, the Government servant does not avail any vacation, earned leave will be as per sub-clause (A) (a) & (b).

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 Vacation Department.

Note 1.— A Government 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 forgo 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 Government servant serving in a Vacation Department proceeds on leave before completing a full year of duty, the earned leave admissible to him 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.

- (iv) 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 earned leave taken in conjunction, whether the earned leave is taken in combination with or in continuation of other leave or not, shall not exceed the amount of earned leave due and admissible to the Government at a time under sub-clause (A) (a) & (b).
- (v) The earned leave at credit of a Government servant serving in Vacation Department 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 do not exceed the maximum limit of 300 days.

B. Half pay leave:

- a. The half pay leave account of every Government servant other than Vacation department shall be credited with half pay leave in advance, in two instalments of ten days each on the first day of January and July of every calendar year.

- b. The leave shall be credited to the said leave account at the rate of 5/3 days for each completed calendar month of service which he is likely to render in the half-year of the calendar year in which he is appointed.
- c. The credit for the half-year in which a Government servant is due to retire or resigns from the service shall be allowed at the rate of 5/3 days per completed calendar month up to the date of retirement or resignation.
- d. When a Government servant is removed or dismissed from service, credit of half pay leave shall be allowed at the rate of 5/3 days per completed calendar month up to the end of the calendar month preceding the calendar month in which he is removed or dismissed from service.
- e. When a Government servant dies while in service, credit of half pay leave shall be allowed at the rate of 5/3 days per completed month of service up to the date of death of the Government servant.
- f. Where a period of absence or suspension of a Government servant has been treated as dies non in a half-year, the credit to be afforded to his half pay leave account at the commencement of next half-year, shall be reduced by one-eighteenth of the period of dies non subject to a maximum of ten days.
- g. The leave under this Office Memorandum may be granted on medical certificate or on private affairs.
- h. While affording credit of half pay leave, fraction of a day shall be rounded off to the nearest day.

C. Commuted leave:

- a. Commuted leave not exceeding half the amount of half pay leave due may be granted on medical certificate to a Government servant, subject to the following conditions:
 - i) The authority competent to grant leave is satisfied that there is reasonable prospect of the Government servant returning to duty on its expiry of the commuted leave.
 - ii) When commuted leave is granted, twice the amount of such leave shall be debited against the half pay leave due;
- b. Half pay leave up to a maximum of 180 days may be allowed to be commuted during the entire service (without production of medical certificate) where such leave is utilized for an approved course of study certified to be the public interest by the leave sanctioning authority.
- c. Where a Government servant who has been granted commuted leave resigns from service or at his request permitted to retire voluntarily without returning to duty, the commuted leave shall be treated as half pay leave and the difference between the leave salary in respect of commuted leave and half pay leave shall be recovered.

Provided that no such recovery shall be made if the retirement is by reason of ill-health incapacitating the Government servant for further service or in the event of his death.

NOTE.- Commuted leave may granted at the request of the Government servant even when earned leave is due to him.

D. Leave not due:

- a. Save in the case of leave preparatory to retirement, leave not due may be granted to a Government servant in permanent employ to quasi-permanent employ

limited to a maximum of 360 days during the entire service on medical certificate subject to the following conditions:

- i) The authority competent to grant leave is satisfied that there is reasonable prospect of the Government servant returning to duty on its expiry;
 - ii) Leave not due shall be limited to the half pay leave he is likely to earn thereafter;
 - iii) Leave not due shall be debited against the half pay leave the Government servant may earn subsequently.
- b. Leave not due may also be granted to temporary Government servants suffering from TB, leprosy, cancer or mental illness for a period not exceeding 360 days during entire service, subject to fulfilment of conditions in (i) to (iii) of sub-clause (a) and subject to the following conditions:
- i) That the Government servant has put in a minimum of one year's service;
 - ii) That the post from which the Government servant proceeds on leave is likely to last till his return to duty;
 - iii) That the request for grant of such leave is supported by medical certificate as envisaged in sub-clause (II) (c) of clause 3 (E).
- c. Where a Government servant who has been granted leave not due resigns from service or at his request permitted to retire voluntarily without returning to duty, the leave not due shall be cancelled, his resignation or retirement taking effect from the date on which such leave had commenced, and the leave salary shall be recovered.
- d. Where a Government servant who having availed himself of Leave not due returns to duty but resigns or retires from serviced before he has earned such leave, he shall be liable to refund the leave salary to the extent the leave has not been earned subsequently:
- Provided that no leave shall be recovered under sub-clause (c) or (d) if the retirement is by reason of ill-health incapacitating the Government servant for further or in the event of his death:
- Provided further that no leave salary shall be recovered under sub-clause (c) or clause (d), if the Government servant is compulsorily retired prematurely under Rule 42 of the Central Civil Services (Pension) Rules, 2021 or is retired under Fundamental Rule 56(j) or Fundamental Rules 56 (l).

E. Extraordinary leave:

- I. Extraordinary leave may be granted to a Government servant in special circumstances:
 - a. When no other leave is admissible;
 - b. When other leave is admissible, but the Government servant applies in writing for grant of extraordinary leave.
- II. Unless the Governor in view of the exceptional circumstances of the case otherwise determines, no Government servant, who is not in permanent employ or quasi-permanent employ, shall be granted extraordinary leave on any one occasion in excess of the following limits:
 - a. Three months;
 - b. Six months where the Government servant has completed one year's continuous service on the date of expiry of leave of the kind due and admissible under these

- c. Office Memorandum, including three months' extraordinary leave under sub-clause (a) and his request for such leave is supported by medical certificate.
 - d. Eighteen months, where the Government servant who has completed one years' continuous service is undergoing treatment for
 - i) Pulmonary Tuberculosis or Pleurisy of tubercular origin, in a recognized sanatorium
 - ii) Tuberculosis of any other part of the body by a qualified Tuberculosis Specialist or a Civil Surgeon or Staff Surgeon or
 - iii) Leprosy in a recognized leprosy institution or by a Civil Surgeon or Staff Surgeon or a Specialist in leprosy hospital recognized as such by the State Administrative Medical Officer concerned.
 - iv) Cancer or for mental illness, in an institution recognized for the treatment of 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 the Government servant concerned has completed three year's continuous service on the date of expiry of leave of the kind due and admissible, including three months' extraordinary leave under sub-clause (a).
- III. a) where a Government servant is granted extraordinary leave in relaxation of the provisions contained in sub-clause (II) (d), shall be required to execute a Bond in Form 6 undertaking to refund to the Government the actual amount of expenditure incurred by the Government during such leave plus that incurred by any other agency with interest thereon in the event of his not returning to duty on the expiry of such leave or quitting the service before a period of three years after return to duty.
- b) The Bond shall be supported by Sureties from two permanent Government servants having a status comparable to or higher than that of the Government servant.
- IV. Two spells of extraordinary leave, if intervened by any other kind of leave, shall be treated as one continuous spell of extraordinary leave for the purpose of sub-clause (II).
- V. The authority competent to grant leave may commute retrospectively periods of absence without leave into extraordinary leave.

F. Leave to probationer.

- I. a) A probationer shall be entitled to leave under these rules if he had held his post substantively otherwise than on probation.
- b) If, for any reason, it is proposed to terminate the service of a probationer, any leave which may be granted to him shall not extend-
 - i) beyond the date on which the probationary period as already sanctioned or extended expires, or
 - ii) beyond any earlier date on which his services are terminated by the orders of an authority competent to appoint him.
- II. A person appointed to a post on probation shall be entitled to leave under this Office Memorandum as a temporary or a permanent Government servant according as his appointment is against a temporary or a permanent post:
 Provided that where such a person already holds a lien on a permanent post before such appointment, he shall be entitled to leave under this Office memorandum as a permanent Government servant.

G. Persons re-employed after retirement.

In case of a person re-employed after retirement, the provisions of this OM shall apply as if he had entered Government service for the first time on the date of his re-employment.

H. Leave preparatory to retirement.

(1) A Government servant may be permitted by the authority competent to grant leave to take leave preparatory to retirement to the extent of earned leave due, not exceeding 300 days together with half pay leave due, subject to the condition that such leave extends up to and includes the date of retirement.

NOTE.- The leave granted as leave preparatory to retirement shall not include extraordinary leave.

(2)(a) Where a Government servant who is on foreign service in or under any Local Authority or a Corporation or Company wholly or substantially owned or controlled by the Government or a Body controlled or financed by the Government (hereinafter referred to as the local body) applies for leave preparatory to retirement, the decision to grant or refuse such leave shall be taken by foreign employer with the concurrence of the lending authority under State Government.

(b) The Government servant on foreign service shall also be allowed to encash earned leave at his credit on the date of retirement in the manner provided in Clause 3 (I) (B).

(3) Where a Government servant is on foreign service in or under a local body other than the one mentioned in sub-clause (2) (a) leave preparatory to retirement shall be admissible to him only when he quits duty under the foreign employer:

Provided that where the Government servant continues in service under such foreign employer, the Government servant shall not be eligible for grant of cash payment in lieu of leave under clause 3 (I).

I. Leave/cash payment in lieu of leave beyond the date of retirement, compulsory retirement or quitting of service.

A) No leave shall be granted to a Government servant beyond-

- i) The date of his retirement, or
- ii) The date of his final cessation of duties, or
- iii) The date on which he retires by giving notice to Government or he is retired by Government by giving notice or pay and allowances in lieu of such notice, in accordance with the terms and conditions of his service, or
- iv) The date of his resignation from service.

B) i) Where a Government servant retires on attaining the normal age prescribed for retirement under the terms and conditions governing his service, the authority competent to grant leave shall, suo moto, issue an order granting cash equivalent of leave salary for both earned leave and half pay leave, if any, at the credit of the government servant on the date of his retirement subject to a maximum of 300 days.

ii) The cash equivalent of leave salary under sub-clause (i) shall be calculated as follows and shall be payable in one lumpsum as a one-time settlement-

a)

Cash equivalent for earned leave =	Pay admissible on the date of retirement plus Dearness Allowance admissible on that date	X	Number of days of unutilized earned leave at credit subject to the total of earned leave and half pay leave not exceeding 300 days.
	30		

b)

Cash payment in lieu of half pay leave component =	Half pay leave salary admissible on the date of retirement plus Dearness Allowance admissible on that date	X	Number of days of half pay leave at credit subject to the total of earned leave and half pay leave not exceeding 300 days.
	30		

Note: The overall limit for encashment of leave including both earned leave and half pay leave shall not exceed 300 days.

- iii) To make up the shortfall in earned leave, no commutation of half pay leave shall be permissible.
- C) The authority competent to grant leave may withhold whole or part of cash equivalent of earned leave in the case of a Government servant who retires from service on attaining the age of retirement while under suspension or while disciplinary or criminal proceedings are pending against him. On conclusion of the proceedings, if in the view of such authority there is a possibility of some money becoming recoverable from him on conclusion of the proceedings against him, he will become eligible to the amount so withheld after adjustment of Government dues, if any.
- D) A Government servant who retires or is retired from service in the manner mentioned in sub-clause (I) (A) (iii), may be granted *suo motu*, by authority competent to grant leave, cash equivalent of the leave salary in respect of both earned leave and half pay leave at his credit subject to a maximum of 300 days. The cash equivalent payable shall be the same as in clause 3 (I) (B).
- E) i) Where the services of a Government servant are terminated by notice or by payment of pay and allowances in lieu of notice or other wise in accordance with the terms and conditions of his appointment, he may be granted, *suo motu*, by the authority competent to grant leave at his credit on the date on which he ceases to be in service subject to a maximum of 300 days and the cash equivalent shall be the same as in clause 3 (I) (B).
- ii) If a Government servant resigns or quits service, he may be granted, *suo motu*, by the authority competent to grant leave, cash equivalent in respect of earned leave at his credit on the date of cessation of service, to the extent of half of such leave at his credit, subject to a maximum of 150 days.
- iii) A Government servant, who is re-employed after retirement may, on termination of his re-employment, be granted, *suo motu*, by an authority competent to grant

leave, cash equivalent in respect of both earned leave and half pay leave at his credit on the date of termination of re-employment subject to a maximum of 300 days including the period for which encashment was allowed at the time of retirement and the cash equivalent payable shall be the same as in clause 3 (I) (B).

- iv) The cash equivalent payable under sub-clause (i) shall be calculated in the manner indicated in clause 3 (I) (B) and for the purpose of computation of cash equivalent under sub-clause (E)(iii), the pay on the date of the termination of re-employment shall be the pay fixed in the scale of post of re-employment before adjustment of pension and pension equivalent of other retirement benefits, and the Dearness Allowance appropriate to that pay.

J. (A) Cash equivalent of leave salary in case of death in service

In case a Government servant dies while in service, the cash equivalent of leave salary for both earned leave and half pay leave, if any, at the credit of the deceased Government servant on the date of his death, not exceeding 300 days shall be paid to his family in the manner specified in sub-clause (J) (C) and the cash equivalent payable shall be as in clause 3 (I) (B).

NOTE.- In addition to the cash equivalent of leave salary admissible under this rule, the family of the deceased Government servant shall also be entitled to payment of Dearness Allowance only as per orders issued in this behalf separately.

(B) Cash Equivalent of leave salary in case of invalidation from service.

i) A Government servant who is declared by a Medical Authority to be completely and permanently incapacitated for further service may be granted, suo motu, by the authority competent to grant leave, cash equivalent of leave salary in respect of both earned leave and half pay leave, if any, at the credit of the Government servant on the date of invalidation from service, subject to a maximum of 300 days and the cash payable shall be the same in clause 3 (I) (B).

ii) a government servant not in permanent employ or quasi permanent employ shall not, however, be granted cash equivalent of leave salary in respect of half pay leave standing at his credit on the date of his invalidation from service.

(C) Payment of cash equivalent of leave salary in case of death, etc., of Government servant.

In the event of the death of a Government servant while in service or after retirement or after final cessation of duties but before actual receipt of its cash equivalent of leave salary payable under sub-clause (I) and sub-clause (J) (A) & (B) of clause 3, such amount shall be payable-

- i) To the widow, and if there are more widows than one, to the eldest surviving widow if the deceased was a male Government servant, or to the husband, if the deceased was a female Government servant;

Note: The term eldest surviving widows shall be determined according to the date of marriage and not with reference to age.

- ii) Failing a widow or husband, as the case may be, to the oldest surviving son; or an adopted son;
- iii) Failing (i) and (ii) above, to the eldest surviving unmarried daughter;
- iv) Failing (i) to (iii) above, to the eldest surviving widowed daughter;

- v) Failing (i) to (iv) above, to the father;
- vi) Failing (i) to (v) above, to the mother;
- vii) Failing (i) to (vi) above, to the eldest surviving married daughter;
- viii) Failing (i) to (vii) above, to the eldest surviving brother below the age of eighteen years;
- ix) Failing (i) to (viii) above, to the eldest surviving unmarried sister;
- x) Failing (i) to (ix) above, to the eldest surviving widowed sister;
- xi) Failing (i) to (x) above, to the eldest child of the predeceased son.

(D) Cash equivalent of leave salary in case of a permanent absorption in Public Sector Undertaking/Autonomous Body wholly or substantially owned or controlled by the Central/State Government.

A Government servant who has been permitted to be absorbed in a service or post in or under a Corporation or Company wholly or substantially owned or controlled by the Central Government or State Government or in or under a body controlled or financed by one or more than one such Government shall be granted suo motu by the authority competent to grant leave cash equivalent of leave salary in respect of earned leave at his credit on the date of absorption subject to a maximum of 300 days. This will be calculated in the same manner as indicated in clause 3 (I) (B).

K. Leave salary

- i) Except as provided in sub-clause (v), a government servant who proceeds on earned leave is entitled to leave salary equal to the pay drawn immediately before proceeding on earned leave.
- ii) A Government servant on half pay leave or leave not due is entitled to leave salary equal to half the amount specified at sub-clause (K) (i)
- iii) A Government servant on commuted leave is entitled to leave salary equal to the amount admissible under sub-clause (K) (i).
- iv) A Government servant on extraordinary leave is not entitled to any leave salary.
- v) In the case of a Government servant who is granted leave earned by him during the period of re-employment, the leave salary shall be based on the pay drawn by him exclusive of the pension and pension equivalent of other retirement benefits.
- vi) a) if, in the case of a Government servant who retires or resigns from the service, the leave already Availed of is more than the credit s due to him, necessary adjustment shall be made in respect of leave salary, if any, overdrawn.
- (b) Where the quantum of earned leave already availed of by a Government servant who is dismissed or removed from service or who die while in service is in excess of the leave credit under clause 3 (A)(f), the overpayment of leave salary shall be recovered in such cases.
- (c) The leave salary shall be drawn in rupees in India.

L. Maternity Leave:

- (i) A female Government servant with less than two surviving children may be granted maternity leave by an authority competent to grant leave for a period of 180 days from the date of its commencement.
- (ii) During such period, leave salary equal to the pay drawn immediately before proceeding to leave shall be paid.
- (iii) Maternity leave not exceeding 45 days may also be granted to a female Government servant (irrespective of the number of surviving children) during the entire service

of that female Government servant in case of miscarriage including abortion on production of medical certificate as laid down in Clause 2 (L).

- (iv) (a) Maternity leave may be combined with leave of any other kind.
(b) Notwithstanding the requirement of production of medical certificate, leave of the kind due and admissible (including commuted leave for a period not exceeding 60 days and leave not due) up to a maximum of two year may, if applied for, be granted in continuation of maternity leave granted under sub-clause (i).
- (v) Maternity leave shall not be debited against the leave account.
- (vi) In case of surrogacy, the surrogate, as well as the commissioning mother with less than two surviving children, may be granted maternity leave of 180 days, in case either or both of them are Government servants.

M. (A) Paternity leave

- i) A male Government servant with less than two surviving children, may be granted Paternity Leave by an authority competent to grant leave for a period of 15 days, during the confinement of his wife for childbirth, i.e., up to 15 days before, or up to six months from the date of delivery of the child.
- ii) During such period of 15 days, he shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.
- iii) The paternity Leave may be combined with leave of any other kind.
- iv) The paternity leave shall not be debited against the leave account.
- v) If Paternity Leave is not availed of within the period specified in sub-clause (i), such leave shall be treated as lapsed.
- vi) In case of a child begotten through surrogacy, the commissioning father who is a male Government servant with less than two surviving children may be granted paternity leave of 15 days within the period of 6 months from the date of delivery of the child.

NOTE:- The Paternity Leave shall not normally be refused under any circumstances.

(AA) Paternity Leave for Child Adoption

- i) A male Government servant with less than two surviving children, on accepting a child in pre-adoption foster care or on valid adoption of a child below the age of one year, may be granted Paternity Leave for a period of 15 days, within a period of six months, from the date of accepting the child in pre-adoption foster care or on valid adoption, as the case may be:
Provided that in a case where the pre-adoption foster care is not followed by valid adoption of the child, the Paternity Leave already availed shall be debited from any other kind of leave available to the credit of such male Government servant.
- ii) During such period of 15 days, he shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.
- iii) The Paternity Leave may be combined with leave of any other kind.
- iv) The Paternity Leave shall not be debited against the leave account.
- v) If Paternity Leave is not availed of within the period specified in sub-clause (i), such leave shall be treated as lapsed.

NOTE 1:- The Paternity Leave shall not normally be refused under any circumstances.

NOTE 2:— "Child" for the purpose of this rule will include a child taken as ward by the Government servant, under the Guardians and Wards Act, 1890 or the personal law applicable to that Government servant, provided such a ward lives with the Government servant and is treated as a member of the family and provided such Government servant has, through a special will, conferred upon that ward the same status as that of a natural born child.

N. Child Adoption Leave

i) A female Government servant, with fewer than two surviving children, on accepting a child in pre-adoption foster care or on valid adoption of a child below the age of one year, may be granted child adoption leave, by an authority competent to grant leave, for a period of 180 days, immediately after accepting the child in pre-adoption foster care or on valid adoption, as the case may be:

Provided that in a case where the pre-adoption foster care is not followed by valid adoption of the child, the leave already availed shall be debited from any other kind of leave available to the credit of such female Government servant.

ii) During the period of child adoption leave, she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.

iii)(a) Child adoption leave may be combined with leave of any other kind.

(b) In continuation of the child adoption leave granted under sub-clause (i), a female Government servant on valid adoption of a child may also be granted, if applied for, leave of the kind due and admissible (including leave not due and commuted leave not exceeding 60 days without production of medical certificate) for a period up to one year reduced by the age of the adopted child on the date of valid adoption, without taking into account child adoption leave.

Provided that this facility shall not be admissible in case she is already having two surviving children at the time of adoption.

iv) Child adoption leave shall not be debited against the leave account.

NOTE.— "Child" for the purpose of this rule will include a child taken as ward by the Government servant, under the Guardians and Wards Act, 1890 or the personal law applicable to that Government servant, provided such a ward lives with the Government servant and is treated as a member of the family and provided such Government servant has, through a special will, conferred upon that ward the same status as that of a natural born child.

O. Special Leave connected to inquiry of sexual harassment

Leave up to a period of 90 days may be granted to an aggrieved female Government servant on the recommendation of the Internal Committee or the Local Committee, as the case maybe, during the pendency of inquiry under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the leave

granted to the aggrieved female Government servant under this Office Memorandum shall not be debited against the leave account.

P. Special Child care Leave

(1) Subject to the provisions of this rule, a female Government servant and single male Government servant may be granted child care leave by an authority competent to grant leave for a maximum period of seven hundred and thirty days during entire service for taking care of an offspring of any age with a minimum disability of forty per cent as specified in the Government of India in Ministry of Social Justice and Empowerment's Notification No. 16-18/97-N 1.1, dated the 1st June, 2001, whether for rearing or for looking after any of their needs, such as education, sickness and the like.

(2) Grant of Special Child Care Leave to a female Government servant and a single male Government servant under sub-clause (1) shall be subject to the following conditions, namely:-

(i) it shall not be granted for more than three spells in a calendar year; Provided, the leave sanctioning authorities is bestowed with the power to relax up to a maximum of three spells beyond the existing three spells of Special Child Care Leave in a calendar year, to female Government employees and single male Government employees in case their child is admitted in a hospital as inpatient.

(ii) in case of a single female Government servant, the grant of leave in three spells in a calendar year shall be extended to six spells in a calendar year.

(ii) it shall not ordinarily be granted during the probation period except in case of certain extreme situations where the leave sanctioning authority is satisfied about the need of child care leave to the probationer, provided that the period for which such leave is sanctioned is minimal.

(iv) Special Child Care Leave may not be granted for a period less than five days at a time.

(4) During the period of Special Child Care Leave, a female Government servant and a single male Government servant shall be paid one hundred per cent of the salary for the first three hundred and sixty-five days, and at eighty per cent of the salary for the next three hundred and sixty-five days.

EXPLANATION: Single Male Government servant' means — an unmarried or widower or divorcee Government servant.

(5) Special Child Care Leave may be combined with leave of any other kind.

(6) Notwithstanding the requirement of production of medical certificate contained in sub-clause (C)(a) of clause 3 or sub-clause (D) (a) of clause 3, leave of the kind due and admissible (including Commuted Leave not exceeding sixty days and Leave Not Due) up to a maximum of one year, if applied for, be granted in continuation with Special Child Care Leave granted under sub-clause (1).

(7) Special Child Care Leave shall not be debited against the leave account.

(8) In case of surrogacy, the commissioning mother with offspring of any age with a minimum disability of forty per cent may be granted Special Child Care Leave.

Note:- The expression 'commissioning mother' shall mean the intending mother of the child born through surrogacy.

4. Study Leave

A. Conditions for grant of study leave

(1) Subject to conditions specified in this Chapter, study leave may be granted to a Government servant with due regard to the exigencies of public service to enable him to undergo, in or out of India, a special course of study consisting of higher studies or specialized training in a professional or a technical subject having a direct and close connection with the sphere of his duty.

(2) Study leave may also be granted-

(i) for a course of training or study tour in which a Government servant may not attend a regular academic or semi-academic course if the course of training or the study tour is certified to be of definite advantage to Government from the point of view of public interest and is related to sphere of duties of the Government servant; and

(ii) for the purpose of studies connected with the framework or background of public administration subject to the conditions that-

(a) the particular study or study tour should be approved by the authority competent to grant leave; and

(b) the Government servant should be required to submit, on his return, a full report on the work done by him while on study leave;

(iii) for the studies which may not be closely or directly connected with the work of a Government servant, but which are capable of widening his mind in a manner likely to improve his abilities as a civil servant and to equip him better to collaborate with those employed in other branches of the public service.

NOTE.- Application for study leave in cases falling under sub-clause (iii) shall be considered on merits of each case in consultation with the P&AR Department and Finance Department.

(3) Study leave shall not be granted unless-

(i) it is certified by the authority competent to grant leave that the proposed course of study or training shall be of definite advantage from the point of view of public interests;

(ii) and in cases where the study is to be undertaken at a foreign university, the applicant obtains a further certificate that the facilities for research on the particular subject chosen for study are not available at any University or other Institution in India: -

Provided further that a Medical Officer may be granted study leave for prosecuting a course of postgraduate study in Medical Sciences if the Principal Director of Health & Family Welfare certifies to the effect that such study shall be valuable in increasing the efficiency of such Medical Officer in the performance of his duties:

Provided also that a specialist or a technical person may be granted study leave, on merits of each case for prosecuting a postgraduate course of study directly related to the sphere of his duty in case the Administrative Head of Department concerned certifies that the course of study shall enable the specialist or the technical person, as the case may be, to keep abreast with modern development in the field of his duty, improve his technical standards and competence and thus substantially benefit the Department.

(iii) the Finance Department agrees to the release of foreign exchange involved in the grant of study leave, if such leave is outside India:

Provided that in releasing foreign exchange to Government servants proceeding on study leave abroad, the Department aforesaid shall satisfy itself whether such Government servant comply with the minimum educational criteria as specified in the general orders issued by the said Department from time to time regulating release of foreign exchange to persons proceeding abroad for higher studies at their expense.

(4) Study leave out of India shall not be granted for the prosecution of studies in subjects for which adequate facilities exist in India.

(5) Study leave may be granted to a Government servant—

(i) who has satisfactorily completed period of probation and has rendered not less than five years' regular continuous service including the period of probation under the State Government;

(ii) who is not due to reach the age of superannuation from the Government service within three years [five years in the case of Medical Officer who has been granted thirty-six months' study leave under sub clause B (2) of clause 4] from the date on which he is expected to return to duty after the expiry of the leave; and

(iii) who executes a Bond as laid down in sub-clause (D) (4) of Clause 4 undertaking to serve the Government for a period of three years [five years in the case of Medical Officer who has been granted thirty-six months' study leave under sub clause B (2) of clause 4] after the expiry of the leave.

(6) Study leave shall not be granted to a Government servant with such frequency as to remove him from contact with his regular work or to cause cadre difficulties owing to his absence on leave.

B. Maximum amount of study leave

(1) The maximum amount of study leave, which may be granted to a Government servant, other than Medical Officers, shall be—

(a) ordinarily twelve months at any one time, and

(b) during his entire service, twenty-four months in all (inclusive of similar kind of leave for study or training granted under any other rules).

(2) In respect of Medical Officers, study leave may be granted for thirty-six months for acquiring postgraduate qualification, subject to the condition that a Medical Officer who has been granted such study leave shall execute a bond under sub-clause (D) (4) of Clause 4 to serve the Government for a period of five years after completion of the study course.

C. Applications for study leave

(1) (a) Every application for study leave shall be submitted through proper channel to the authority competent to grant leave.

(b) The course or courses of study contemplated by the Government servant and any examination which he proposes to undergo shall be clearly specified in such application.

(2) Where it is not possible for the Government servant to give full details in his application, or if, after leaving India, he is to make any change in the programme which has been approved in India, he shall submit the particulars as soon as possible to the authority competent to grant leave, and shall not, unless prepared to do so at his own risk, commence the course of study or incur any expenses in connection therewith until he receives the approval of the authority competent to grant the study leave for the course.

D. Sanction of study leave

(1) A report regarding the admissibility of the study leave shall be obtained from the Audit Officer:

Provided that the study leave, if any, already availed of by the Government servant shall be included in the report.

(2) Where a Government servant borne permanently on the cadre of one department or establishment is serving temporarily in another department or establishment, the grant of study leave to him shall be subject to the condition that the concurrence of the department or the establishment to which he is permanently attached is obtained before the leave is granted.

(3) Where the study leave is granted for prosecution of studies abroad, the Head of the Mission concerned shall be informed of the fact by the authority granting the leave, provided that where such leave has been granted by an Administrator, the intimation shall be sent through the Department concerned.

NOTE :- The Head of the Mission shall be contacted by the Government servant for issue of any letters of introduction or for other similar facilities that may be required.

(4)(a) Every Government servant in permanent employ who has been granted study leave or extension of such study leave shall be required to execute a Bond in Form 7 or Form 8, as the case may be, before the study leave or extension of such study leave granted to him commences.

(b) Every Government servant not in permanent employ who has been granted study leave or extension of such study leave shall be required to execute a bond in Form 9 or Form 10 as the case may be, before the study leave or extension of such study leave granted to him commences.

(c) The Authority competent to grant leave shall send to the Audit Officer a certificate to the effect that the Government servant referred to in sub-clause (a) or sub-clause (b) has executed the requisite bond.

5(a) On completion of the course of study, the Government servant shall submit to the authority which granted him the study leave, the certificates of examinations passed or special courses of study undertaken, indicating the date of commencement and termination of the course with the remarks, if any, of the authority in charge of the course of study.

(b) If the study is undertaken in a country outside India where there is an Indian Mission, the certificates shall be submitted through the Head of the Mission concerned.

E. Accounting of study leave and combination with leave of other kinds

(1) Study leave shall not be debited against the leave account of the Government servant.

(2) Study leave may be combined with other kinds of leave, but in no case shall be grant of this leave in combination with leave, other than extraordinary leave involve a total absence of more than twenty eight months generally and thirty-six months for the courses leading to Ph.D. degree from the regular duties of the Government servant.

Explanation:-the limit of twenty-eight months/thirty six months of absence prescribed in this sub-clause includes the period of vacation.

(3) A Government servant granted study leave in combination with any other kind of leave may, if he so desires, undertake or commence a course of study during any other kind of leave.

Provided that the period of such leave coinciding with the course of study shall not count as study leave.

F. Regular of study leave extending beyond course of study

When the course of study falls short of study leave granted to a Government servant, he shall resume duty on the conclusion of the course of study, unless the previous sanction of the authority competent to grant leave has been obtained to treat the period of shortfall as ordinary leave.

G. Leave Salary during study leave

(1) Except as provided in sub-clause (5), during Study Leave availed of outside India, a Government servant shall draw Leave Salary equal to the pay that the Government servant drew while on duty with Government immediately before proceeding on such leave and in addition the Dearness Allowance and House Rent Allowance.

(2) Except as provided in sub-clause (5), during Study Leave availed of in India, a Government servant shall draw Leave Salary equal to the pay that the Government servant drew while on duty with Government immediately before proceeding on such leave and in addition the Dearness Allowance and House Rent Allowance as admissible in accordance with the provisions of sub-clause (H) of clause-4.

(3) Payment of leave salary at full rate under sub-clause (2) shall be subject to furnishing of a certificate by the Government servant to the effect that he is not in receipt of any scholarship, stipend or remuneration in respect of any part-time employment.

- (4) The amount, if any, received by a Government servant during the period of Study Leave as scholarship or stipend or remuneration in respect of any part-time employment, shall be adjusted against the Leave Salary payable under this sub-clause subject to the condition that the Leave Salary shall not be reduced to an amount less than that payable as Leave Salary during half-pay leave.
- (5) During the currency of Study Leave within or outside India on or after 1st day of January, 2018, a State Government servant shall draw benefits of Revised Pay from the date such revision took place.

H. Admissibility of allowances in addition to Study Allowance

- (1) For the first (180) days of the Study Leave, House Rent Allowance shall be paid at the rates admissible to the Government servant from time to time at the station from where he proceeded on study leave. The continuance of payment of House Rent Allowance beyond (180) days shall be subject to the production of a certificate as prescribed in Para.8 (d) of Ministry of Finance, O.M. No.2 (37)-E.II (B)/64, dated 27-11-1965, as amended from time to time.
- (2) Except for house rent allowance as admissible under sub-clause (1) and the Dearness Allowance, where admissible, no other allowance shall be paid to a Government servant in respect of the period of study leave granted to him.

I. Travelling Allowance during study leave

A Government servant to whom study leave has been granted shall not ordinarily be paid Travelling Allowance but the Governor may in exceptional circumstances sanction the payment of such allowance.

J. Cost of fees for study

A Government servant to whom study leave has been granted shall ordinarily be required to meet the cost of fees paid for the study but in exceptional cases, the Governor may sanction the grant of such fees:

Provided that in no case shall the cost of fees be paid to a Government servant who is in receipt of scholarship or stipend from whatever source or who is permitted to receive or retain, in addition to his leave salary, any remuneration in respect of part-time employment.

K. Resignation or retirement after study leave or non-completion of the course of study.

- (1) If a Government servant resigns or retires from service or otherwise quits service without returning to duty after a period of study leave or within a period of three years [five years in the case of Medical Officer who has been granted thirty-six months' study leave under sub-clause (B) (2) of clause-4] after such return to duty or fails to complete the course of study and is thus unable to furnish the certificates as required under sub-clause (D) (5) of clause-4, he shall be required to refund—

- (i) the actual amount of leave salary, cost of fees, travelling and other expenses, if any, incurred by the Government of Nagaland; and

- (ii) the actual amount, if any, of the cost incurred by other agencies such as foreign Governments, Foundations and Trusts in connection with the course of study, together with interest thereon at rates for the time being in force on Government loans, from the date of demand, before his resignation is accepted or permission to retire is granted or his quitting service otherwise:

Provided that except in the case of employees who fail to complete the course of study nothing in this rule shall apply—

(a) to a Government servant who, after return to duty from study leave, is permitted to retire from service on medical grounds; or

(b) to a Government servant who, after return to duty from study leave, is deputed to serve in any Statutory or Autonomous Body or Institution under the control of the Government and is subsequently permitted to resign from service under the Government with a view to his permanent absorption in the said statutory or Autonomous body or Institution in the public interest.

(2)(a) The study leave availed of by such Government servant 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.

(b) In addition to the amount to be refunded by the Government servant under sub-clause (1), he shall be required to refund any excess of leave salary actually drawn over the leave salary admissible on conversion of the study leave.

(3) Notwithstanding anything contained in this Office Memorandum, the Governor may, if it is necessary or expedient to do so, either in public interest or having regard to the peculiar circumstances of the case or class of cases, by order, waive or reduce the amount required to be refunded under sub-clause (1) by the Government servant concerned or class of Government servants.

4. This has the approval of Personnel & Administrative Reforms Department issued vide U.O. No. 102 dated 24th April 2025.

5. This is issued in supersession of all Office Memorandum issued earlier on the subject.

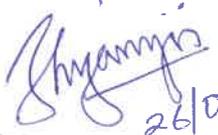
Sd/-
(Kesonyu Yhome)
Finance Commissioner

No. FIN/ESTT-4/15/Leave Rules/20

Dated: 26th February , 2026

Copy to:

1. The Commissioner & Secretary to the Governor of Nagaland, Lok Bhavan, Kohima
2. The Commissioner & Secretary to the Chief Minister, Nagaland.
3. The Deputy Secretary to the Chief Secretary, Nagaland, Kohima.
4. All Administrative Head of Departments/Head of Departments for information and necessary action.
5. The Principal Accountant General (A&E), Nagaland, Kohima.
6. The Principal Director, Directorate of Treasuries & Accounts, Nagaland, Kohima.
7. The Commissioner & Secretary, IT&C department, with the request to post this on the official website of the Government of Nagaland.
8. The Publisher, Nagaland Gazette, Nagaland, Kohima for publication.
9. The Computer Cell, Finance Department, Nagaland, Kohima.
10. Guard file.


26/02/26
(Thejangulie)
Sr. Research Officer

THE FIRST SCHEDULE

AUTHORITIES COMPETENT TO GRANT LEAVE

Sl. No.	Kind of leave	Authority competent to grant leave
1.	Earned Leave, Half Pay Leave, Commuted Leave, Leave not Due, Extraordinary Leave, Maternity Leave, Child Adoption Leave, Paternity Leave, Paternity Leave for Child Adoption and Child Care Leave.	(i) Chief Secretary. (ii) Administrative Head of Department (iii) Head of Department.
2.	Study Leave	(i) Administrative Head of Department

THE SECOND SCHEDULE

FORM 1

[See clause 2 (H)]

APPLICATION FOR LEAVE OR FOR EXTENSION OF LEAVE

1. Name of applicant
2. Post held
3. Department, Office and Section

4. Pay
5. House Rent and other Compensatory Allowances drawn in the present post
6. Nature and period of leave applied for and date from which required
7. Sundays and holidays, if any, proposed to be prefixed/suffixed to leave
8. Grounds on which leave is applied for
9. Date of return from last leave, and the nature and period of that leave
11. Address during leave period

Signature of Applicant
(with date)

12. Remarks and/or recommendation of the Controlling Officer

Signature (with date)
Designation.

CERTIFICATE REGARDING ADMISSIBILITY OF LEAVE

13. Certified that(nature of leave) for (period) fromto is admissible under clauseof this O.M.

Signature (with date)
Designation

- *14. Orders of the authority competent to grant leave ...

Signature (with date)
Designation

* If the applicant is drawing any compensatory allowance, it should also be indicated in the orders on the expiry of leave, the Government servant is likely to return to the same post or to another post carrying similar allowance.

FORM 2
[see clause 2 (I)]

Name of Government servant _____ Date of Birth _____
 Date of commencement of continuous service _____
 Date of Quasi-Permanent / Permanent employment _____ Date of retirement / resignation _____

EARNED LEAVE							HALF PAY LEAVE											
Particulars of service in the calendar half-year		Completed months of service in the Calendar half-year	E.L. credited at the beginning of half-year	No. of days of E.O.L. (Col. 36) availed of during the previous calendar half-year	E.L. to be deducted (1/10th of the period in Col. 5)	Total E.L. at credit in days (Cols. 4 + 11 - 6)	LEAVE TAKEN			Balance of E.L. on return from leave (Cols. 7 - 10)	Completed month of service in the half-year of a calendar year	H.P.L. credited at the beginning of half-year	No. of days treated as <i>dies non</i> during the previous half-year	H.P.L. to be deducted (1/18th of the period in Col. 14)	Total H.P.L. at credit in days (Cols. 13 + 35 - 15)	LEAVE		
From	To						From	To	No. of days							From	To	No. of days
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19

(On Private Affairs and on Medical Certificates including Commuted Leave and Leave Not Due)

TAKEN						Leave Not Due limited to 360 days in entire service																					
Commuted leave on Medical Certificate on full pay			Commuted Leave without M.C. for studies certified to be in public interest (limited to 180 days half pay leave converted into 90 days commuted leave in entire service)			Commuted leave converted into half pay leave (Twice of Cols. 22 & 25)			On Medical Certificate			Otherwise than on Medical Certificates limited to 180 days			Total of Leave Not Due (Cols. 29 + 32)			Total of Half Pay Leave taken (Cols. 19 + 26 + 35)			Balance of Half Pay Leave on return from leave (Cols. 16 - 34)			Other kinds of Leave taken			
From	To	No. of days	From	To	No. of days	From	To	No. of days	From	To	No. of days	From	To	No. of days	From	To	No. of days	From	To	No. of days	From	To	No. of days	From	To	No. of days	
20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47

NOTE 1. — The Earned Leave due should be expressed in days.

NOTE 2. — When a Government servant is appointed during the course of a particular half-year, E.L. should be credited @ 2½ days for each completed month and the fraction of a day will be rounded off to the nearest day.

NOTE 3. — The entries in Col. 11 should be in complete days. Fraction of a day will be rounded off to the nearest day.

NOTE 4. — The period of extraordinary leave should be noted in red ink.

FORM 3
[see clause 2 (L)]

MEDICAL CERTIFICATE FOR GAZETTED OFFICERS RECOMMENDED LEAVE OR EXTENSION OF LEAVE OR COMMUTATION OF LEAVE

Signature of the Government Servant.....

I after careful personal examination of the case hereby certify that Shri/Shrimati/Kumari.....whose signature is given above, is suffering from and I consider that a period of absence from duty of with effect fromis absolutely necessary for the restoration of his/her health.

Civil Surgeon / Staff Surgeon /
Authorized Medical Attendant

Dated

.....Dispensary

NOTE 1.—This form should be adhered to as closely as possible and should be filled in after the signature of the Government servant has been taken. The certifying officer is not at liberty to certify that the Government servant requires a change from or to a particular locality or that he is not fit to proceed to a particular locality. Such certificates should only be given at the explicit desire of the administrative authority concerned to whom it is open to decide, when an application on such grounds has been made to him, whether the applicant should go before a [Civil Surgeon/Staff Surgeon/Authorized Medical Attendant] to decide the question of his / her fitness for service.

NOTE 2.— No recommendation contained in this certificate shall be evidence of a claim to any leave not admissible to the Government servant.

FORM 3-A
[see clause 2 (L)& (M)]

MEDICAL CERTIFICATE FOR GOVERNMENT SERVANTS WHO ARE TO BE RECOMMENDED LEAVE UNDER CLAUSE 2 (M)

Signature / thumb impression of the Government servant.....

It is certified that Shri / Shrimati / Kumari (designation and place of work may also please be indicated) is under my medical supervision since..... and is suffering from*.

2. The aforesaid medical condition can be reasonably estimated to have manifested itself with effect from and that-

(i) it cannot be said with certainty that the Government servant will never again be fit for service;
or

(ii) there is no reasonable prospect that the Government servant will ever be fit to return to duty.

#3. In view of the fact that it cannot be said with certainty as to when the Government servant shall be fit for service, I recommend that Shri/Shrimati/ Kumari may be granted leave on medical grounds with effect fromto (up to a period of one year).

[#Please strike out if a certificate is being issued under 2 (ii) above]

Name and designation of the Medical officer of State Government Health Scheme/Government Hospital/Medical Board

Or

Name, designation and details of certifying authority so designated under Section 57 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016)

FORM 4
[see clause 2 (L)]
MEDICAL CERTIFICATE FOR LEAVE OR EXTENSION OF LEAVE OR COMMUTATION OF LEAVE

Signature of the Government servant.....

I, after careful personal examination of the case hereby certify that Shri / Shrimati / Kumari whose signature is given above, is suffering from and I consider that a period of absence from duty ofwith effect fromis absolutely necessary for the restoration of his / her health.

Authorized Medical Attendant
.....Hospital / Dispensary or
other Registered Medical
Practitioner

Dated.....

NOTE 1- The nature and probable duration of the illness should be specified.

NOTE 2- This Form should be adhered to as closely as possible and should be filled in after the signature of the Government servant has been taken. The certifying officer is not at liberty to certify that the Government servant requires a change from or to a particular locality, or that he is not fit to proceed to a particular locality. Such certificates should only be given at the explicit desire of the administrative authority concerned, to whom it is open to decide, when an application on such grounds has been made to him, whether the applicant should go before a Civil Surgeon or Staff Surgeon to decide the question of his/her fitness for service.

NOTE 3.- Should a second medical opinion be required, the authority competent to grant leave should arrange for the second medical examination to be made at the earliest possible date by a Medical Officer not below the rank of a Civil Surgeon or Staff Surgeon, who shall express an opinion both a regards the facts of illness and as regards the necessity for the amount of leave recommended and for this purpose he may either require the Government servant to appear before himself or before a Medical Officer nominated by himself.

NOTE 4.- No recommendation contained in this certificate shall be evidence of a claim to any leave not admissible to the Government servant.

FORM 5
[see clause 2 (Q) (III)]
MEDICAL CERTIFICATE OF FITNESS TO RETURN TO DUTY

Signature of the Government servant

We, the members of Medical Board

I, Civil Surgeon/Staff Surgeon.
Authorized Medical Attendant of.....
Registered Medical Practitioner

do hereby certify that we/I have carefully examined Shri / Shrimati/Kumari whose signature is given above, and find that he/she recovered from his/her illness and is now fit to resume duties in Government service. We/I also certify that before arriving at this decision, we/I have examined the original medical certificate(s) and statement(s) of the case (or certified copies thereof) on which leave was granted or extended and have taken these into consideration in arriving at our/my decision.

Members of the Medical Board

(1).....

(2).....

(3).....

Civil Surgeon / Staff Surgeon

Authorized Medical Attendant

Registered Medical Practitioner

Dated.....

NOTE.- The original medical certificate(s) and statement(s) of the case on which the leave was originally granted or extended shall be produced before the authority required to issue the above certificate. For this purpose, the original certificate(s) and statement(s) of the case should be prepared in duplicate, one copy being retained by the Government servant concerned.

FORM 6

[see clause 3 (E) (III)]

BOND FOR TEMPORARY GOVERNMENT SERVANTS GRANTED EXTRAORDINARY LEAVE IN RELAXATION OF CLAUSE 3 (E) (II) (d) FOR STUDY

KNOW ALL MEN BY THESE PRESENTS THAT WE residents of in the District of at present employed as in the Department/Office of..... (hereinafter called "the Obligor") and Shri / Shrimati / Kumari son/daughter of..... of and Shri / Shrimati / Kumari son/daughter of..... of (hereinafter called "the Sureties"), do hereby jointly and severally bind ourselves and our respective heirs, executors and administrators, to pay to the Governor of Nagaland, his successors and assigns (hereinafter called the "Government") on demand the sum of Rs..... (Rupees only) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or, if the payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country and India AND TOGETHER with all costs between the attorney and client and all charges and expenses that shall or may have been incurred by the Government.

WHEREAS the Government has at the request of the above bounden Shri / Shrimati / Kumari.....employed as a....., granted him/her regular leave, followed by extraordinary leave without pay and allowances, for a period of..... months..... days with effect from..... in order to enable him / her to study at.....

AND WHEREAS the Government has appointed / will have to appoint a substitute to perform the duties of Shri/Shrimati/Kumari during the period of absence of Shri/Shrimati/Kumari on extraordinary leave.

AND WHEREAS for the better protection of the Government, the Obligor has agreed to execute this bond with two Sureties with such condition as hereunder written:

AND WHEREAS the said Sureties have agreed to execute this Bond as sureties on behalf of the bounden.....

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT, in the event of the above bounden, Shri/Shrimati/Kumari..... failing to rejoin on the expiry of the period of extraordinary leave, the post originally held by him/her and serve the Government after rejoining for such period not exceeding a period of..... years as the Government may require or refusing to serve the Government in any other capacity as may be required by the Government on a salary to which he/she would be entitled under the rules, the said Shri/Shrimati/Kumari..... or his/her executors and administrators shall forthwith pay to the Government on demand the said sum of (Rupees..... only) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

AND upon the Obligor Shri/Shrimati/Kumari..... and or Shri/Shrimati/Kumari..... and, or Shri/Shrimati/Kumari the Sureties aforesaid making such payment the above written obligation shall be void and of no effect, otherwise it shall be and remain in force and virtue:

PROVIDED ALWAYS that the liability of the Sureties hereunder shall not be impaired or discharged by reason of time being granted or by any forbearance, act or omission of the Government or any person authorized by them (whether with or without the consent or knowledge of the Sureties) nor shall it be necessary for the Government to sue the Obligor before suing the Sureties

Shri/Shrimati/Kumari and Shri/Shrimati/Kumari.....or any of them for amounts due hereunder.

The Bond shall in all respects be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall where necessary be accordingly determined by the appropriate Courts in India.

Signed and dated this..... day oftwo thousand and.....

Signed and delivered by the Obligor
above named Shri/Shrimati/ Kumar

.....

in presence of.....

Witnesses: 1.....

2.....

Signed and delivered by the Surety
above named Shri / Shrimati / Kumari

in the presence of

Witnesses: 1.....

2.....

Signed and delivered by the Surety
above named Shri/Shrimati/Kumari

.....

in the presence of

Witnesses: 1.....

2.....

ACCEPTED
for and on behalf of the
Governor of Nagaland

FORM 7

[see clause 4 (D) (4)]

BOND TO BE EXECUTED BY A GOVERNMENT SERVANT IN PERMANENT EMPLOY, WHEN PROCEEDING ON STUDY LEAVE

KNOW ALL MEN BY THESE PRESENTS THAT I,..... resident of..... in the District of..... at present employed as..... in the Department/Office of..... do hereby bind myself and my heirs, executors and administrators to pay to the Governor of Nagaland (hereinafter called "the Government") on demand the sum of Rs..... (Rupees..... only) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or, if payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country of India AND TOGETHER with all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Government.

WHEREAS I am granted study leave by Government.

AND WHEREAS for the better protection of the Government, I have agreed to execute this Bond with such condition as hereunder is written;

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT in the event of my failing to resume duty, or resigning or retiring from service or otherwise quitting service without returning to duty after the expiry or termination of the period of study leave or failing to complete the course of study or at any time within a period of three years/five years after my return to duty, I shall forthwith pay to the Government or as may be directed by the Government, on demand the said sum of Rs..... (Rupees..... only) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

NOW FURTHER THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT the period of my bond mandating putting in service for the period as specified above, after expiry of the study leave availed by me, shall be extended by a comparable period, equivalent to the aggregate periods of leave of any kind availed by me during the currency of the bond period.

AND upon my making such payment, the above written obligations shall be void and of no effect, otherwise it shall be and remain in full force and virtue.

The Bond shall in all respects be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall, where necessary, be accordingly determined by the appropriate Courts of India.

Signed and dated this..... day of..... two thousand and.....

Signed and delivered by

.....

In the presence of.....

Witnesses 1.....

2.....

ACCEPTED
For and on behalf of the
Governor of Nagaland

EXPLANATION. — The term 'currency of bond' means the period during which the liability of the Government servant is activated and the right of the Government is alive to claim the predetermined and stipulated amounts from the Government servant who fails to discharge his obligation.

FORM 8

[see clause 4 (D) (4)]

BOND TO BE EXECUTED BY A GOVERNMENT SERVANT IN PERMANENT EMPLOY, WHEN GRANTED EXTENSION OF STUDY LEAVE

KNOW ALL MEN BY THESE PRESENTS THAT I..... resident of in the District ofat present employed asin the Department/Office of..... do hereby bind myself and my heirs, executors and administrators to pay to the Governor of Nagaland (hereinafter called "the Government") on demand the sum of Rs..... (Rupees..... only) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or if payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country and India AND TOGETHER with all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Government.

WHEREAS I..... was granted study leave by Government for the period to..... in consideration of which I executed a Bond, dated..... for (Rupees..... only) in favour of the Governor of Nagaland.

AND WHEREAS the extension of study leave has been granted to me at my request until.....

AND WHEREAS for the better protection of the Government, I have agreed to execute this Bond with such conditions as hereunder are written.

NOW, THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT in the event of my failing to resume duty of resigning or retiring from service or otherwise quitting service without returning to duty after the expiry or termination of the period of study leave so extended or failing to complete the course of study or at any time within a period of three years/five years after my return to duty. I shall forthwith pay to the Government or as may be directed by the Government, on demand the said sum of Rs..... (Rupees.....only) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

NOW FURTHER THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT the period of my bond mandating, putting in service for the period as specified above, after expiry of the study leave availed by me, shall be extended by a comparable period, equivalent to the aggregate periods of leave of any kind availed by me, during the currency of the bond period.

AND upon my making, such payments, the above written obligations shall be void and of no effect, otherwise it shall be and remain in full force and virtue.

The Bond shall in all respects be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall, where necessary, be accordingly determined by the appropriate Courts in India.

Signed and dated this.....day of..... two thousand and.....

Signed and delivered by.....

.....

In the presence of

Witnesses 1.....

2.....

ACCEPTED

For and on behalf of the
Governor of Nagaland

EXPLANATION.— The 'currency of bond' means the period during which the liability of the Government servant is activated and the right of the Government is alive to claim the predetermined and stipulated amounts from the Government servant who fails to discharge his obligation.

FORM 9

[see clause 4 (D) (4)]

**BOND TO BE EXECUTED BY A GOVERNMENT SERVANT NOT IN PERMANENT EMPLOY,
WHEN PROCEEDING ON STUDY LEAVE**

KNOW ALL MEN BY THESE PRESENTS THAT WE..... residents ofin the District of..... at present employed as..... in the Department/Office of..... (hereinafter called "the Obligor") and Shri /Shrimati/Kumari..... son/daughter ofand Shri/ Shrimati/Kumari..... son/daughter of and Shri/Shrimati/Kumarison/daughter of..... (hereinafter called "the Sureties") do hereby jointly and severally bind ourselves and our respective heirs, executors and administrators to pay to the Governor of Nagaland (hereinafter called "the Government") on demand the sum of Rs.....(Rupees..... only) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or, if payment is made in a country other than India, the equivalent of the said amount in the currency of that country, converted at the official rate of exchange between that country and India AND TOGETHER with all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Government.

WHEREAS the Obligor is granted study leave by the Government:

AND WHEREAS for the better protection of the Government, the Obligor has agreed to execute this Bond with such condition as hereunder is written.

AND WHEREAS the said Sureties have agreed to execute this Bond as Sureties on behalf of the above bounden.....

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATIONS IS THAT, in the event of the Obligor Shri /Shrimati/Kumari failing to resume duty, or resigning from service or otherwise quitting service without returning to duty after the expiry or termination of the period of study leave or failing to complete the course of Study or at any time within a period of three years/five years after his return to duty, the Obligor and the Sureties shall forthwith pay to the Government or as may be directed by the Government, on demand the said sum of Rs..... (Rupees only) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

NOW FURTHER THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT, the period of bond, mandating putting in service by the Obligor for the period as specified above, after expiry of the study leave availed by him or her, shall be extended by a comparable period, equivalent to the aggregate periods of leave of any kind availed by him or her during the currency of the bond period.

AND upon the Obligor Shri/Shrimati / Kumari and or Shri / Shrimati / Kumari..... and or Shri / Shrimati / Kumari....., the Sureties aforesaid making such payment the above written obligation shall be void and of no effect, otherwise it shall be and remain in full force by virtue.

PROVIDED ALWAYS that the liability of the Sureties hereunder shall not be impaired or discharged by reason of time being granted or by any forbearance act or omission of the Government or any

person authorized by them (whether with or without the consent or knowledge of the Sureties) nor shall it be necessary, for the Government to sue the Obligor before suing the Sureties Shri / Shrimati / Kumariand Shri / Shrimati / Kumari... or any of them for amounts due hereunder.

The Bond shall in all respects be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall where necessary be accordingly determined by the appropriate Courts in India.

Signed and dated this..... day of... two thousand and.....

Signed and delivered by the Obligor

Above-named Shri / Shrimati / Kumari

.....

In the presence of

Witnesses 1.

2.

Signed and delivered by the Obligor
above-named Shri/Shrimati/Kumari

.....

In the presence of.....

Witnesses 1.

2.

Signed and delivered by the Obligor
above-named Shri / Shrimati / Kumari

.....

In the presence of.....

Witnesses 1.

2.

ACCEPTED

For and on behalf of the
Governor of Nagaland

EXPLANATION.— The term 'currency of bond' means the period during which the liability of the Government servant is activated and the right of the Government is alive to claim the predetermined and stipulated amounts from the Government servant who fails to discharge his obligation.

FORM 10

[see clause 4 (D) (4)]

BOND TO BE EXECUTED BY A GOVERNMENT, SERVANT NOT IN PERMANENT EMPLOY, WHEN GRANTED EXTENSION OF STUDY LEAVE

KNOW ALL MEN BY THESE PRESENTS THAT WE.....residents of in the District of..... at present employed as..... in the Department/Office of.....(hereinafter called "the Obligor") and Shri/ Shrimati/Kumari Son/daughter of..... of and Shri/Shrimati/Kumari son/daughter of..... (hereinafter called "the Sureties") do hereby jointly and severally bind ourselves and our respective heirs, executors and administrators to pay to the Governor of Nagaland (hereinafter called "the Government") on demand the sum of Rs..... (Rupees..... only) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or, if payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country and India AND TOGETHER with all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Government.

WHEREAS the Obligor was granted study leave by the Government from the period from..... to..... in consideration of which he executed a Bond, dated..... for Rs.....(Rupees only) in favour of the Governor of Nagaland:

AND WHEREAS the extension of study leave has been granted to the Obligor at his request until.....

AND WHEREAS for the better protection of the Government the Obligor has agreed to execute this Bond with such condition as hereunder is written:

AND WHEREAS the said Sureties have agreed to execute this Bond as Sureties on behalf of the above bounden.....

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT in the event of the Obligor Shri/Shrimati/Kumari failing to resume duty, or resigning from service or otherwise quitting service without returning to duty after the expiry or termination of the period of study leave so extended or failing to complete the course of study or at any time within a period of three years / five years after his return to duty, the Obligor and the Sureties shall forthwith pay to the Government, on demand the said sum of Rs..... (Rupees only) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

NOW FURTHER THE CONDITION OF THE ABOVE WRITTEN OBLIGATIONS IS THAT the period of bond, mandating putting in service by the Obligor for the period as specified above, after expiry of the Study Leave availed by him or her, shall be extended by a comparable period, equivalent to the aggregate periods of leave of any kind availed by him or her, during the currency of the bond period.

AND upon the Obligor Shri/ Shrimati/Kumari..... and, or Shri/Shrimati /Kumari..... and, or Shri/Shrimati/Kumari.....the Sureties aforesaid making such payment the above written obligation shall be void and of no effect, otherwise it shall be and remain in full force and virtue;

PROVIDED ALWAYS that the liability of the Sureties hereunder shall not be impaired or discharged by reason of time being granted or by any forbearance, act or omission of the Government or any person authorized by them (whether with or without the consent or knowledge of the Sureties) nor shall it be necessary, for the Government to sue the Obligor before suing the Sureties Shri/Shrimati/Kumari and Shri/Shrimati/Kumari or any of them for amounts due hereunder.

The Bond shall in all respect be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall where necessary be accordingly determined by the appropriate Courts in India.

Signed and dated this.....day of..... two thousand and.....

Signed and delivered by the Obligor
above named Shri/Shrimati/ Kumar

.....
in presence of.....

Witnesses: 1.....

2.....

Signed and delivered by the Surety
above named Shri / Shrimati / Kumari

.....
in the presence of

Witnesses: 1.....

2.....

Signed and delivered by the Surety
above named Shri / Shrimati / Kumari

.....
in the presence of

Witnesses: 1.....

2.....

ACCEPTED
for and on behalf of the
Governor of Nagaland

Explanation. — The term 'currency of bond' means the period during which the liability of the Government servant is activated and the right of the Government is alive to claim the predetermined and stipulated amounts from the Government servant who fails to discharge his obligation.