

RBE No. 79/2011



150 GLORIOUS YEARS

**GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)**

Rail Bhawan, New Delhi-110001, dated 3/6/2011

No. E(G)2007/LE 2/4

The General Managers,
All Zonal Railways & Production Units etc.
(As per standard mailing list).

Sub: Regularisation of period of unauthorised absence.

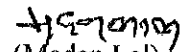
Consolidated instructions on the subject of regularisation of unauthorised absence issued by the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training), vide their O.M. No. 13026/3/2010-Estt. (Leave) dated 22-6-2010, are enclosed. These instructions shall apply mutatis-mutandis on the Railways.

2. The Railway rules corresponding to the CCS rules quoted in the Department of Personnel & Training's instructions are indicated below:-

S.No.	CCS Rules	Railway Rules
i)	Rule 27 of CCS (Pension) Rules, 1972.	Rule 42 of the Railway Services (Pension) Rules, 1993.
ii)	FR 17(1).	Rule 1302 of the Indian Railway Establishment Code Vol. II, 1987 Edition.
iii)	Rule No. 25 and 32 (2) (a) of CCS (Leave) Rules, 1972.	Rule Nos. 518 and 530 (2) (a) respectively of the Indian Railway Establishment Code Vol. I, 1985 Edition.

Please acknowledge receipt.

DA: One


(Madan Lal)
Jt. Director, Estt. (Genl.)
Railway Board

No. E(G)2007/LE 2/4

New Delhi, dated 3.06.2011

Copy (with 40 spares) forwarded to the Deputy Comptroller and Auditor General of India (Railways), Room No. 224, Rail Bhawan, New Delhi.


for FINANCIAL COMMISSIONER/RAILWAYS.

आरबीई सं. 79/2011

भारत सरकार
रेल मंत्रालय (रेलवे बोर्ड)

सं. ई(जी)2007/एलई 2/4

नई दिल्ली, दिनांक: 3.06.2011

महाप्रबंधक,
सभी क्षेत्रीय रेलें एवं उत्पादन इकाइयां आदि।
(मानक डाक सूची के अनुसार)

विषय: अप्राधिकृत रूप से अनुपस्थित रहने की अवधि को नियमित करना।

कार्मिक, जन शिकायत एवं पेंशन (कार्मिक एवं प्रशिक्षण विभाग) के दिनांक 22.06.2010 के कार्यालय ज्ञापन सं. 13026/3/2010-स्था. (लीव) द्वारा जारी अप्राधिकृत रूप से अनुपस्थित रहने की अवधि को नियमित करने के विषय पर समेकित अनुदेश संलग्न हैं। ये अनुदेश यथा आवश्यक परिवर्तन सहित रेलों पर लागू होंगे।

कार्मिक एवं प्रशिक्षण विभाग के अनुदेशों में उद्धृत सीसीएस नियमों के तदनुरूपी रेलवे नियम नीचे दिए गए हैं:-

क्र. सं.	सीसीएस नियम	रेलवे नियम
i)	सीसीएस (पेंशन) नियम, 1972 का नियम 27	रेल सेवा (पेंशन) नियम, 1993 का नियम 42
ii)	एफआर 17 (1)	भारतीय रेल स्थापना संहिता वॉल्यूम-II, 1987 संस्करण का नियम 1302
iii)	सीसीएस (अवकाश) नियम, 1972 का नियम सं. 25 और 32 (2) (क)	भारतीय रेल स्थापना संहिता वॉल्यूम-I, 1985 संस्करण का क्रमशः नियम सं. 518 और 530 (2) (क)

कृपया पावती दें।

संलग्नक: एक

संयुक्त निदेशक, स्थापना (सामान्य)
रेलवे बोर्ड

No.13026 /3/2010-Estt. (Leave)
Government of India
Ministry of Personnel, P.G. and Pensions
(Department of Personnel & Training)

Sl No 19/11

New Delhi, the 22nd June, 2010

Office Memorandum

Sub: Consolidated instructions on Regularization of Unauthorized Absence.

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The undersigned is directed to say that this Department has been receiving various references from Ministries/ Departments regarding regularization of unauthorized absence for long periods. The references are made basically because the Ministries/Departments do not follow the prescribed procedure for dealing with such unauthorized absence. Guidelines/instructions exist for handling such situations.

2. As per Rule 25 of the CCS (Leave) Rules 1972.

(1). 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.

(2) Willful absence from duty after the expiry of leave renders a Government servant liable to disciplinary action. Government of India decisions also exist that a Government Servant who remains absent without any authority should be proceeded against immediately and this should not be put off till the absence exceeds the limit prescribed in Rule 32(2) (a) of the CCS (Leave) Rules, 1972.

3. It is once again stressed that a Govt. servant who remains absent without any authority should be proceeded against immediately. All

Ministries/Departments are requested to ensure that in all cases of unauthorized absence by a Government Servant, he should be informed of the consequences of such absence and be directed to rejoin duty immediately / within a specified date, say within three days, failing which he would be liable for disciplinary action under CCS(CCA) Rules 1965. If the Government Servant does not join duty by the stipulated date the Disciplinary Authority should initiate disciplinary action against him and the disciplinary case should be conducted and concluded as quickly as possible.

4. It is only due to apathy of the Disciplinary Authorities that the situation arises where long pending unauthorized absence leads to delay in other service matters of Government Servants, including promotions. To avoid such situations all Ministries / Departments should advise Disciplinary Authorities to ensure that prompt action is taken against Government Servants who absent themselves with out permission and that Charge-Sheets are issued without delay.

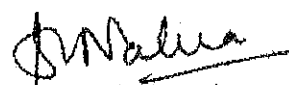
5. The consequences and procedure to be followed in respect of an officer who is absent from duty without any authority has been brought out under FR 17(1) and 17-A. As per FR 17-A(iii) without prejudice to the provisions of Rule 27 of the Central Civil Services (Pension) Rules, 1972, remaining absent without any authority or deserting the post, shall be deemed to cause an interruption or break in the service of the employee, unless otherwise decided by the competent authority for the purpose of leave travel concession, quasi-permanency and eligibility for appearing in department examinations, for which a minimum period of continuous service is required.

6. Comptroller and Auditor General have issued orders that the period of absence not covered by grant of leave shall have to be treated as "dies non" for all purposes, viz., increment, leave and pension. Such absence without leave where it stands singly and not in continuation of any authorized leave of absence will constitute an interruption of service for the purpose of pension and unless the pension sanctioning authority exercises its powers under Article 421, Civil Service Regulations [now

Rule 27 of the CCS (pension) Rules] to treat the period as leave without allowance, the entire past service will stand forfeited.

7. It may be noted that regularization of unauthorized absence for pension purpose is to be considered under the CCS (Pension) Rules. Only in cases where the disciplinary authority is satisfied that the grounds adduced for unauthorized absence are justified, the leave of the kind applied for and due and admissible may be granted to him under the CCS (Leave) Rules.

8. Hindi version will follow.


(Simmi R. Nakra)
Director

To

All Ministries/Departments of the Govt. of India, etc.
(As per standard mailing list).