

Eastern Railway
(Personnel Department)
17 N. S. Road, Kolkata - 700 001

Serial Circular No. 92/2019

No. E/PC-VII/2016/Policy (Vol. II)

Kolkata, Dated: 25/04/2019

All Concerned

(as per standard list)

Sub: Amendments in the Railway Services (Liberalised Leave) Rules, 1949 contained in Chapter 5 of Indian Railway Establishment Code (IREC) Volume-I.

The instructions of Ministry of Railways (Railway Board) on the above cited subject issued vide their letter No. E(P&A)I-2019/CPC/LE-2 dated 23/04/2019 (PC-VII No. 135, RBE No. 64/2019) are communicated herewith for information, guidance and necessary action.

DA: As above

A:
(Anjan Ray)
Dy. Chief Personnel Officer/Gaz.
For Pr. Chief Personnel Officer
Phone No.: 24104 (Rly.)

Anjan Ray
25/4/19

Index No. 1057: Amendments to Rules 525, 526, 551(E), 552, 553 and 554 of the Railway Services (Liberalised Leave) Rules, 1949.

भारत सरकार/GOVERNMENT OF INDIA
रेल मंत्रालय /MINISTRY OF RAILWAYS
(रेलवे बोर्ड/RAILWAY BOARD)

PC-VII No. 135

RBE No. 64/2019

No. E(P&A)-2019/CPC/LE-2

New Delhi dated 23.04.2019

The General Managers/Principal Financial Advisers,
All Indian Railways and Production Units.

Sub: Amendments in the Railway Services (Liberalised Leave) Rules, 1949 contained in Chapter 5 of Indian Railway Establishment Code (IREC) Volume-I.

DOP&T vide Gazette Notification No. 1209(E) dated 11.12.2018 has amended the CCS (Leave) Rules, 1972. The rules corresponding to CCS (Leave) Rules in the Railway Services (Liberalized Leave) Rules, 1949 contained in Chapter 5 of IREC Vol.-I, are also being amended. The existing Leave rules vis-à-vis the amended Leave rules are tabulated below in juxtaposition:

Existing Railway Services (Liberalized Leave) Rules, 1949	Amended Railway Services (Liberalized Leave) Rules, 1949
<p>525. Leave on Average Pay applicable to School Staff –</p> <p>(1)(a). A Railway servant serving in a Railway School such as a teacher, principal, headmaster, librarian, laboratory assistant or a waterman shall not be entitled to any Leave on Average Pay in respect of duty performed in any year in which he avails the full vacation.</p> <p>(b). In respect of any year in which a Railway servant avails a portion of the vacation, he shall be entitled to Leave on Average Pay in such proportion of 30 days, as the number of days of vacation not taken bears to the full vacation.</p> <p>Provided that no such leave shall be admissible to a Railway servant not in permanent employ or quasi-permanent employ in respect of the first year of his service.</p> <p>(c). If, in any year, the Railway servant does not avail any vacation, Leave on Average Pay shall be admissible to him in respect of that year under Rule 523.</p>	<p>525. Leave on Average Pay applicable to School Staff –</p> <p>(1)(a). The leave account of every Railway servant who is serving in a Railway School such as teacher, principal, headmaster, librarian, laboratory assistant or a waterman shall be credited with Leave on Average Pay, in advance, in two installments of five days each on the first day of January and July of every calendar year.</p> <p>(b). In respect of any year in which a Railway servant avails a portion of the vacation, he shall be entitled to additional Leave on Average Pay in such proportion of twenty days, as the number of days of vacation not taken bears to the full vacation, provided the total Leave on Average Pay credited shall not exceed thirty days in a calendar year.</p> <p>(c). If, in any year, the Railway servant does not avail any vacation, Leave on Average Pay will be as per Rule 523 instead of clauses (a) and (b).</p>
<p>526. Leave on half average pay—</p> <p>1(a). A Railway Servant, permanent or temporary including the one who is serving in a railway school, shall be entitled to Leave on Half Average Pay of 20 days in respect of each completed year of service.</p> <p>3(1). The account of Leave on Half Average Pay of every railway servant shall be credited with Leave on Half Average Pay in advance, in two instalments of ten days each on the first day of January and July of every calendar year.</p>	<p>526. Leave on half average pay—</p> <p>1(a). A Railway servant, permanent or temporary other than one who is serving in a railway school, shall be entitled to Leave on Half Average Pay of 20 days in respect of each completed year of service."</p> <p>3(1). The account of Leave on Half Average Pay of every Railway servant (other than a Railway servant serving in a Railway School) shall be credited with Leave on Half Average Pay in advance, in two installments of ten days each on the first day of January and July of every calendar year.</p>

551(E) – Child Care Leave.

(1) A woman railway servant having minor children below the age of eighteen years (an offspring of any age in case of disabled children) may be granted Child Care Leave by an authority competent to grant leave, for a maximum period of two years (i.e. 730 days) during the entire service for taking care of upto two children, whether for rearing or to look after any of their needs like examination, sickness etc.

(2) During the period of Child Care Leave, she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.

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

(4) Notwithstanding the requirement of production of medical certificate contained in Rule 527 or sub-rule (1) (ii) of Rule 528, leave of the kind due and admissible (including commuted leave not exceeding 60 days and leave not due) upto a maximum of one year, if applied for, be granted in continuation with child care leave granted under sub-rule (1).

(5) Child Care Leave shall not be granted in more than 3 spells in a calendar year with each spell of Child Care Leave being not less than 5 days.

(6) Child Care Leave shall be admissible for the two eldest surviving children only.

(7) Child Care Leave cannot be demanded as a matter of right. Under no circumstances can any employee proceed on Child Care Leave without prior proper approval of the leave by the leave sanctioning authority.

(8) The Child Care Leave is to be treated like Leave on Average Pay and sanctioned as such.

(9) Child Care Leave should not ordinarily be granted during the probation period except in case of certain extreme situations where the leave sanctioning authority is fully satisfied about the need of Child Care Leave to the probationer. It may also be ensured that the period for which this leave is sanctioned during probation is minimal.

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

551(E). Child Care Leave –

(1) Subject to the provisions of this rule, a female Railway servant and single male Railway 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 two eldest surviving children, whether for rearing or for looking after any of their needs, such as education, sickness and the like.

(2) For the purposes of sub-rule (1), "child" means-

(a) a child below the age of eighteen years; or
(b) an offspring of any age with a minimum disability of forty percent 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.

(3) Grant of child care leave to a female Railway servant and a single male Railway servant under sub-rule (1) shall be subject to the following conditions, namely:-

(i) it shall not be granted for more than three spells in a calendar year;

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

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

(4) During the period of child care leave, a female Railway servant and a single male Railway servant shall be paid one hundred percent of the salary for the first three hundred and sixty five days, and at eighty percent of the salary for the next three hundred and sixty five days.

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

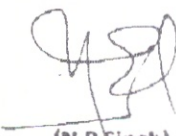
(6) Notwithstanding the requirement of productions of medical certificate contained in Rule 527 or sub-rule (1) (ii) of Rule 528, leave of the kind due and admissible (including Commuted Leave not exceeding sixty days and Leave Not Due) upto a maximum of one year, if applied for, be granted in continuation with child care leave granted under sub-rule (1).

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

Explanation – 'Single Male Railway Servant' means – an unmarried or widower or divorcee Railway servant."

<p>552. Special disability leave for injury intentionally inflicted —</p> <p>Omitted and replaced with "552. Work Related Illness and Injury Leave".</p>	<p>552. Work Related Illness and Injury Leave -</p> <p>The authority competent to grant leave may grant Work Related Illness and Injury Leave (herein after referred to as WRIL) to a Railway servant (whether permanent or temporary), who suffers illness or injury that is attributable to or aggravated in the performance of her or his official duties or in consequence of her or his official position subject to the provisions contained in rule 521 of these rules, on the following conditions, namely:</p> <p>(1) Full pay and allowances shall be granted to all employees during the entire period of hospitalization on account of WRIL.</p> <p>(2) Beyond hospitalization, WRIL shall be governed as follows:</p> <p>(a) A Railway servant (other than of RPF/RPSF) full pay and allowances for the six months immediately following hospitalization and Half Pay for twelve months beyond the said period of six months. The Half Pay period may be commuted to full pay with corresponding number of days of Leave on Half Average Pay debited from the employees leave account.</p> <p>(b) For officers RPF/RPSF full pay and allowances for six months immediately following the hospitalization and full pay only for the next twenty four months.</p> <p>(c) For personnel below the rank of officer of the RPF/RPSF full pay and allowances, with no limit regarding period.</p> <p>(3) In the case of persons to whom the Workmen's Compensation Act, 1923 applies, the amount of leave salary payable under WRIL shall be reduced by the amount of compensation paid under the Act.</p> <p>(4) No Leave on Average Pay or Leave on Half Average Pay shall be credited during the period that employee is on WRIL."</p>
<p>553. Special disability leave for accidental injury.</p>	<p>Omitted.</p>
<p>554. Hospital Leave.</p>	<p>Omitted.</p>

2. The sub-rules to Rules 525, 526 and 551 (E) not mentioned herein, remain unchanged.
3. This order shall take effect from 14th December, 2018.
4. This issues with the concurrence of the Finance Directorate of the Ministry of Railways.
5. Please acknowledge receipt.
6. Code corrections will follow.
7. Hindi version will follow.


(N P Singh)

Joint Director Estt.(P&A),
Railway Board