

NATIONAL HIGHWAYS AUTHORITY OF INDIA (LEAVE) REGULATIONS, 1997

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2. Application:- These regulations shall apply to all officers •and employees of the Authority except:- (a) (b) (d) persons on deputation to the Authority (unless he has opted for beigg governed by these regulations:) persons in casual or daily rated or part-time employment; persons paid from contingencies; and persons employed qn contract

3. Definitions;- In these regulations, unless the context otherwise requires:- (a) (b) (c) (e) "Act" means• the National Highways Authority of India Act, .19\$8 (6B Of 1988); "Authority" means the National Highways Authority of India gonstituted under section 3 of the Act; "Competent Authority" means the Chairman, any Member or any officer or employee to whom the powers to grant leave have been delegated under section 25 of the Act; "Chairman". means the Chgirman of the Authority; "Offcer or employee" means an officer. or employee of the Authority appointed in accordance with the provisions of Chapter- 11 of the National Highways Authority of Indi? (Recruitment, Seniority and Promotion) Regulations, 1996

4. Kinds of leave:- Subject to the provisions Of these regulations, the following kinds of leave may be granted to an officer or employee:- (a) (b) (c) Casual leave Earned leave Sick leave 4] (d) (e) (f) 31 Maternity leave Leave not due Extraordinary leave

5. General conditions as to grant of leave- (1) cannot be claimed as a• matter of rightN,, When, exigencies of ghe service so require, ; the discretion' to' refuse or Fevoke: leave of any description is •reserved to the Competent Authority and an officer or employee already on leave may recalled by.that authority When it considers necessary in the interest of the Authority. (2) All leave lapse on the date an •officer or employee ceases to be the service of the Authority. (3) An officer or employee shall, before proceeding on leave, intimate to the Competent Authority his address while on!leave. (4) The Competent Authority may require an officer or employee to 'furnish' a certificate of fitness where such officer or employee has been granted leave ' on health grounds

6. Casual leave:- An officer or employee shall be eligible for casual leave upto 'a maximum of twelve working days in each year and such leave cannot be suffxed or prefixed with any other kind of leave.(2) No casual leave may be availed of , except .with the prior permission Of the Competent Authority. [f for any reason, it not possible for an officer or employee to obtain such permission in advance, he shall intimate his absence to such authority within' twenty-four hours. (3) Mihe an officer or employee joins the service of the Authority at any time during a year, his entitlement to casual leave shall be at',the rate of one day per month during that year

7. Earned leave:- (1) Every officer or employee shall be entitled to earned leave at the rate of thirty days for every completed year of service and such leave shall- be credited to the earned leave account, of the officer or employee half yearly on first April and first September respectively in each year at the rate of fifteen days for every six months of service rendered by such officer or employee.(2) If any officer or employee is appointed on or after the first or January of the first day o! July,

as the case may be, in any year, earned leave shall be credited at the rate of two-and-a-half days for each completed calendar month of service put in by him during the calendar year. (3) The earned leave at the credit on an officer or employee shall be carried forward to the next half year, subject to the condition that the total period of accumulated earned leave shall not exceed two hundred and forty days. (4) An officer or employee on earned leave shall draw pay equal to leave pay. 32 THE GAZETTE OF INDIA EXTRAORDINARY (5) If an officer or employee has taken extraordinary leave in a half year, the credit afforded under sub-regulation (1) shall be reduced by one-tenth of the extraordinary leave availed of during the previous half year subject to a maximum of fifteen days. (6) The maximum amount of earned leave that may be granted to an officer or employee at a time shall be one hundred and twenty days, provided that where such officer or employee spends any period of such leave outside India, he may be granted earned leave up to a maximum period of one hundred and eighty days. (7) In case an employee dies while in service of the Authority, his family shall be eligible for the cash equivalent of the leave salary the employee would have got but for his death, had he proceeded on earned leave due and admissible at the time, subject to a maximum of two hundred and forty days.

8. Sick leave:- (1) An officer or employee shall be entitled to twenty days of sick leave: on half pay on production of medical certificate from a registered medical practitioner on completion of twelve months of actual duty subject to a maximum of 450 days during the full period of his service. (2) The half pay leave may be granted on full pay subject to a maximum of two hundred and ten days and the sick leave account shall be debited with twice the amount of leave taken by an officer or employee.

9. Maternity leave:- (1) Every female officer or employee shall be entitled to one hundred and twenty days of maternity leave on full pay on each occasion of pregnancy subject to a maximum of two hundred and forty days during the entire period of her service. (2) Maternity leave not exceeding forty-two days may also be granted to a female officer or employee in cases of miscarriages including abortion on a certificate of the attending medical officer. (3) Maternity leave shall not be debitable to the leave account. 10. Leave not due:- (1) Leave not due may be granted to a permanent officer or employee subject to the following conditions, namely:- SEC. 4] (a) (b) (c) the competent authority is satisfied that there is reasonable prospect of the officer or employee returning to duty on the expiry of leave; leave not due shall be limited to the quantum of half pay leave that the employee is likely to earn after the grant of leave under this regulation shall be debited to the half pay leave account of the officer or employee; leave not due during the entire service shall be limited to a maximum of three hundred and sixty days out of which not more than ninety days may be granted at a time and one hundred and eighty days may be granted otherwise than on production of a medical certificate. 33 (2) Leave not due may be granted a period not exceeding three hundred and sixty days during entire service of a temporary Officer or employee who is suffering from tuberculosis, leprosy, cancer or mental illness subject to the fulfillment of condition in clauses (a) and (b) of sub-regulation (1) and also subject to the following further conditions, namely:- that the officer or employee has put in a minimum of one year of service with the Authority, that the post from which the officer or employee proceeds on leave is likely to last till his return to duty; and that the request for grant of such leave is supported by a medical certificate. (3) (a) Where an officer or employee who has been granted leave not due resigns service or is 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, if any, already paid to him for such leave shall be recovered. (b) Where an officer or employee who having availed himself of leave not due, returns to duty but resigns or retires from service 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 salary shall be recovered under clause (a) or clause (b), if the retirement is by reason of illness incapacitating an officer or employee for further service or in the event of his death.

11. Extra-ordinary leave:- (1) An officer or employee may be granted extra-ordinary leave without pay and allowances when no other leave is due to him. (2) Extra-ordinary leave shall not be granted for more than three hundred and sixty days during the entire period of service and not more than ninety days at a time and such leave shall not count for increment.

12. Combination of different kinds of leave:- Any kind of leave, except casual leave, may be granted in combination with or in continuation of any other kind of leave.

13. Leave Salary:- (1) An officer or employee on earned leave shall draw the leave salary admissible to him which shall be equal to the pay drawn' by him immediately before proceeding on earned leave.(2) An officer or employee on half pay leave or leave not due is entitled to leave salary equal to half the amount specified in sub-regulation (1)

14. Special Disability Leave:- Special disability leave may be granted to an officer or employee who is disabled by injury caused in consequence of the due performance of his official duty or in consequence of his official position, subject to the following conditions, namely:- IOU GU97—S 34

(a) (b) (c) THE GAZETTE OF INDIA : EXTRAORDINARY [PART 4] that the disability manifests itself within three months of the occurrence to which it is attributed _and the person disabled acted! with the: ; due promptitude in bringing it to the notice of the competent authority. Provi&d that the competent authority may, if it is satisfied as to the cause Of the disability permit leave to be granted even in cases where the disability manifests itself more than three months after the .occurrence of its cause. that the period of leave shall be such as is certified by the attending medical officer to be necessary. It shall in no case exceed four months and may be combined with leave of any other kind. Provided that the competent authority may direct the officer or employee to appear before a 'Medical Board' constituted by the Authority for -the purpose who sh#ll examine the officer or employee and certiö' the nature of the disability; the cause to which the disability can be attributed; and the likely period for which the officer or employee is required to remain .on leave on this account', that such leave may be granted more than once if the disability is aggravated or recurs in similar circumstances at a later date but a total of not more than twenty iBur months of such leave shall be granted: in consequenc of any one disability

15. Encashment of leave:- (a) (b) where a Government servant retires on attaining the normal age prescribed for retirement under the terms and conditions governing his service, Ahe authority competent to grant leave shall sub '77011' • issue an order granting cash equivalent of leave salary for earned leave, if any, at the credit of the Government servant on the date of his retirement, subject to a maximum of 240 days.This shall also include dearness allowance. where a Government servant resigns or quits service, he may be granted by the authority competent to grant cash eqdivalent in respect of earned leave at his credit oti the date of cessation of service, subject to a maximum of 120 days. This shall also includedearness allowance. • 16. Residuary matters- Matters with respect of which no specific . provisions have been made under these regulations, shall regulated under r corresponding provisions of the Central Civil Services (Leave) Rules, 1972, as amended from time to time, and the instructions issued thereunder by the Central Government-. NEELAM NATH, Member (F&A)