

# **TAMIL NADU ELECTRICITY BOARD**

## **LEAVE REGULATIONS**

In exercise of the powers conferred by section 79-(c) of the Electricity (Supply) Act, 1948, the Tamil Nadu Electricity Board hereby makes the following regulations.

### **REGULATIONS**

**1. NAME AND COMMENCEMENT:** These regulations may be called the Tamil Nadu Electricity Board Leave Regulations and they shall come into force from 10<sup>th</sup> June, 1967.

**2. APPLICATION:** These regulations with such amendments as may be effected by the Board from time to time shall apply to all the employees of the Board whether for the time-being in foreign service or not except to the holders of the posts included in the Appendix-I to whom the leave rules under the Factories Act apply.

Provided that the employees of the Government Electricity Department whose services have been transferred to the Board from 1<sup>st</sup> July 1957 and persons recruited to Board's Service during the period from 1<sup>st</sup> October 1957 to the date of issue of these regulations, shall have the option to be governed by the rules applicable to them prior to the date of issue of these regulations. Such option shall be exercised within six months from the above said date. In case an employee is on leave on that date the option must be exercised within six months from the date of return from leave. The option once exercised is final. An employee who does not make such a declaration will automatically become subject to these regulations.

Provided further that in the case of personnel allotted to the Madras State from the former Travancore Cochin State and transferred to the service of the Board, who had elected to remain under the leave rules under the Travancore Service Regulations, the leave rules as they stood on 31<sup>st</sup> October 1956 alone shall apply and

the amendments issued by the Government of Kerala after that date to those rules shall not be applied.

**Note:** If there is a break in the service of an employee, who does not elect to come under these regulations, due to his resignation, he will, on re-employment, be eligible for leave only under these regulations.

**3. DEFINITIONS:** In these regulations, unless there is anything repugnant in the subject or context-

(a) Duty does not include any period of absence on any leave admissible under these regulations but includes-

- (i) any period of absence on casual leave during a continuous period spent on duty;
- (ii) any period of absence on authorised holidays during a continuous period spent on duty;
- (iii) any period of absence on authorised holidays when permitted to be prefixed or affixed to leave;
- (iv) any period spent on foreign service, if contribution towards leave salary is paid on account of such period;
- (v) joining time; and
- (vi) all periods declared to be duty during an authorised course of instructions or training.

(b) (i) Employee means any person to whom these regulations apply.

- (ii) Permanent employee means an employee who holds substantively a permanent post or who holds a lien on such a post or would hold such a lien had it not been suspended to whom these regulations apply.
- (iii) Non-permanent employee means an employee who is not a permanent employee to whom these regulations apply.

(c) (i) Pay means the greater of the amounts specified below:-

- (a) the substantive pay plus special pay, personal pay and any other emoluments classed as pay, on the date before the leave commences, or
- (b) the average monthly pay plus special pay, personal pay and any other emoluments classed as pay earned during the twelve complete months preceding the month in which the leave commences.

**Exception:**

In the case of employees in Class IV Service, the pay as defined in Service Regulation 10(19) on the last day of duty period prior to the commencement of leave, shall be taken for the purpose of item (b) instead of the average pay as contained therein.

- (ii) Half pay means, half the amounts specified in item (a) or (b) above, whichever is greater.

**Note:** (1) The pay drawn by an employee in foreign service in excess of that admissible under the Board shall be classified as special pay.

- (2) The term "substantive pay" in clause (c) of this regulation includes the pay drawn by an employee in a post on which he holds a provisional lien under regulation 28 (c) of the Service Regulations.

**GENERAL**

**4. EARNING OF LEAVE:** Leave is earned by duty only.

**Note:** The period of joining time during which an employee on transfer is not entitled to be paid will not count for purposes of leave.

**5. COUNTING OF FORMER SERVICE FOR LEAVE:**

(a) An employee who is dismissed or removed or compulsorily retired from service as a measure of discipline but is reinstated on appeal or revision, is entitled to count his former service towards leave.

(b) If an employee, who is retired from service either due to reduction in permanent establishment or due to incapacity (Physical or mental) for further service and has been granted compensation or invalid Pension or gratuity or other retirement benefits, is re-employed and if his gratuity is thereupon refunded or his pension held wholly in abeyance or the other retirement benefits be repaid to the Board, his past service thereby becoming eligible for retirement benefits on ultimate retirement, he may, at the discretion of the authority sanctioning the re-employment and to such extents as that authority may decide, count his former service towards leave.

**Note (1):** In the case of an employee who resigned his post under the Board if re-employed, the previous service will not count for purpose of leave.

**Note (2):** An employee who has no lien on any other post except that which it is proposed to abolish, may be granted leave admissible to him immediately before the abolition of the post, but in that case, the orders abolishing that post should state explicitly that the post is abolished from the date on which the leave so granted terminates.

**Note (3):** In the case of employees, who are thrown out of permanent posts but continue to hold temporary posts or to officiate in other posts without a break, the leave earned by them while holding the permanent posts will not lapse and can be carried forward.

**6. KINDS OF LEAVE:**

(a) The following are the kinds of leave to which an employee may be eligible: -

- (1) Earned Leave;
- (2) Unearned leave, i.e. Leave on Private Affairs or Leave on Medical Certificate;
- (3) Extraordinary leave;
- (4) Special disability leave;
- (5) Study leave;
- (6) Maternity leave;
- (7) Casual leave.

(b) save in the case of casual leave and subject to the restriction in regulation 17(1), any kind of leave admissible under these regulations may be granted in combination with any other kind of leave so admissible or in continuation of leave already taken whether of the same or of any other kind.

**7. CLAIMING OF LEAVE:** Leave cannot be claimed as of right. Discretion is reserved to the authority empowered to grant leave, to refuse or revoke leave at any time according to the exigencies of service.

**Note (1):** An employee cannot be compelled against his wishes to take leave on half pay when leave on full pay is admissible to him. These orders must not be interpreted as interfering with the discretion entrusted to an authority competent to grant leave to determine whether leave should or should not be granted.

**Note (2):** An authority empowered to grant leave has no power to interfere with the option admissible to an employee to take leave on full pay or on half pay as he may elect. Thus

once leave is sanctioned, its nature cannot be altered by treating two separate spells of leave as a continuous one so as to obviate any unintended benefit being derived from the regulations. The deliberate or intentional evasion of leave regulations can, however, be checked by the leave sanctioning authorities by resort to refusal of leave under this regulation. Action shall be taken to ensure that all cases, in which a fresh spell of leave is applied for by employees after a short Interval of duty, are carefully examined with a view to see that the spirit of the regulations is observed and that the competent authorities refuse the leave by exercising the discretion vested in them under this regulation, if they have reasons to believe that an attempt was being made to take undue advantage of the leave regulations or to evade the spirit thereof.

**Note (3):** When employees who have no casual leave to their credit, apply for leave for a day or two in advance, they may be granted extraordinary leave without pay and allowances only when they are not eligible for any other leave or on specific request by the employees. The provisions in this note will not apply to cases where periods of absence without leave are commuted retrospectively into extraordinary leave under regulation 19.

**8. AUTHORITIES EMPOWERED TO GRANT LEAVE:** The authorities specified in column (1) of the table below are empowered to grant leave to the employees specified in the corresponding entry in column (2) thereof to the extent specified in the corresponding entry in column (3) of the said table.

**TABLE**

Authority empowered to grant leave		Employees to whom leave may be granted	Extent of power
(1)		(2)	(3)
1	Tamil Nadu Electricity Board	Chief Engineer	Full Power

	(1)	(2)	(3)
2	Chairman, Tamil Nadu Electricity Board	Chief Engineers, Superintending Engineers, Chief Financial Controller, Secretary, Under Secretary and other officers of the Board's Secretariat.	If the sanction of leave involves promotion, emergency or otherwise, of a person not regularly selected for promotion, the case shall go before the Board for orders. Leave involving transfers and postings and urgent cases of first appointments or promotion of persons already in a panel approved by the Board if the appointment or promotion is in the order of preference indicated in the panel, may be sanctioned subject to ratification by the Board.
3	Chief Engineer	All employees in Class I and Class II Service upto and inclusive of the rank of Executive Engineers, Construction Accounts Officer, Accounts Officer and Stores Accounts Officer in his office and the offices under his control.	If the sanction of leave to an employee involves promotion, emergency or regular of a person not regularly selected for such promotion, or, if a person whose first appointment on promotion has not been sanctioned by the Board, the case should be reported to the Board for orders. The Chief Engineer shall not be competent to refuse leave if such refusal is likely by the operation of regulation 29 (b) or otherwise to involve extra expenditure to the Board but he shall forward to the Board for orders his proposal to refuse leave.
4	Appointing authority	Employees in Class III and Class IV Service.	Full Power
5	Personnel Officer	Superintendents, Assistants, Junior Assistants, Typists and Steno Typists, Duffadars and Office Helpers of the Office of the Chief Engineer/ Personnel.	Full Power

(1)			(2)		(3)
6	(a)	Superin- tending Engineers	Assistant Engineers and Junior Engineers I Grade and employees in Class-III not covered by item (4) above.		Can sanction any leave independently or combined with other kinds of leave subject to a maximum of 180 days except study leave
	(b)	Superin- tending Engineers.	Draughtsmen and Assistant Draughtsmen.		Full Power.
7	Chief Financial Controller		Employees in Class III other than those covered by item (4) above.		Can Sanction any leave independently or combined with other kinds of leave subject to a maximum of 180 days except study leave.
8	(a)	Executive Engineers	Assistants, Junior Assistants, Typists and Office Helpers.		Can Sanction leave upto one month subject to the condition that no extra expenditure is involved. A copy of the leave sanction order should be sent to the Superintending Engineer.
	(b)	Executive Engineers	(i)	Employees of and above the rank of Line Inspector in Regular Work Establish- ment within their jurisdiction.	Full Power
			(ii)	Employees of the rank of Lineman and below in Regular Work Establish- ment within their jurisdiction.	Can Sanction leave for a period beyond one month



	(1)		(2)	(3)
9	Assistant Executive Engineers		Office Helpers and employees for whom they are not the appointing authorities upto and inclusive of the rank of Lineman in Regular work Establishment within their jurisdiction.	Can sanction leave upto one month. A copy of the leave sanction order should be sent to the Executive Engineer concerned.
10	Foreign employer		Employees in Class III and Class IV Service in foreign service	Full power to grant leave on full pay not exceeding 120 days.
11	(a)	Foreign employer.	Employees in Class I and Class II Service in foreign service	Full power to grant leave on full pay not exceeding 120 days other than leave preparatory to retirement.
	(b)	The authority which sanctioned the transfer to foreign service	Employees in Class I and Class II Service in foreign service	Full Power

**Note:** For calculation of "extra cost or expense" as referred to in column (3) of the above Table, expenditure on transit pay and travelling allowance may be disregarded; but charges such as increased remuneration granted to an employee under regulations 40 and 49 of the Service Regulations should be taken into account.

**9. RECKONING OF LEAVE:** Leave ordinarily begins on the day on which transfer of charge is effected and ends on the day preceding that on which charge is resumed.

**10. (a) PREFIXING AND AFFIXING OF HOLIDAYS TO LEAVE:**

When day immediately preceding the day on which an employee's leave begins or immediately following the day on which his leave **##.....##** expires is a holiday or one of a series of holidays, the employee may 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 -

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

**(b)** On condition that the departing employee remains responsible for moneys in his charge, the Chief Engineer may declare that provision (1) under clause (a) is not applicable to any particular case.

**(c)** Unless the authority sanctioning the leave or transfer in any case otherwise directs-

- (1) If holidays are prefixed to leave, the leave and any consequent re-arrangement of pay and allowances take effect from the first day after the holidays, and
- (2) If holidays are affixed to leave **##.....##**, the leave **##.....##** is treated as having terminated on, and any consequent re-arrangement of pay and allowances take effect from the day on which the leave **##.....##** would have ended if holidays had not been affixed.

**##** The expressions "or joining time" – omitted vide (Per) B.P.(FB) No.42 (SB), dated 07.07.2001.

**Explanation-1:**

In deciding whether the absence of an employee during holidays involves the transfer of an employee from another station for the purpose of this regulation, account should be taken only of the substitute who takes the place of the absent employee, not of all the employees in the chain of arrangements arising from one employee's absence on leave.

**Explanation-2:**

The term "holiday" used in clauses (a) and (c) above should be held to mean-

- (a) a holiday prescribed or notified by the Board, and
- (b) With reference to any particular office, a day on which such office is ordered by notification of the Board to be closed for the transaction of public business without reserve or qualification.

The term does not include such local holidays as may be granted at the discretion of heads of offices nor holidays which are merely permissible or discretionary.

**Note (1):** Optional holidays shall not be prefixed or affixed to leave.

**Note (2):** Compensatory leave may be allowed to be prefixed or affixed to regular leave or casual leave subject to the usual conditions.

**Explanation-3:**

When holidays intervene between two spells of leave, they should be treated as leave.

**Explanation-4:**

Local holidays cannot be permitted to be prefixed or affixed to leave as such holidays cannot be regarded as holidays contemplated in explanation 2 above.

**(d) Taking over and handing over of charge:**

(i) When holidays are prefixed to leave, the employee proceeding on leave will report before leaving the station or if for urgent reason the leave is granted during holidays, as soon as it is granted, he will cease to discharge the duties of his post with effect from the end of the holidays. The relieving employee will then assume the duties of the post at the end of the holidays in the ordinary course.

(ii) When holidays are affixed to leave, the officiating employee will be relieved in the ordinary way before the holidays, and the employee on leave will return at the end of the holidays but will be regarded as having assumed the duties of the post with effect from the commencement of the holidays.

(iii) Except in cases covered by (i) and (ii) above, Note 1 under Service Regulation 21, which requires transfer of charge certificates to be signed by both the relieved and relieving employees on the day on which charge is transferred, should be strictly followed.

**11. ACCEPTANCE OF EMPLOYMENT WHILE ON LEAVE:**

(1) An employee on leave may not take service or accept any employment without obtaining the previous sanction of the Board.

(2) The leave salary of an employee who is permitted to take up employment under a private employer or any Government during leave, shall be subject to such restrictions as the Board may by order prescribe.

**Note:** This regulation does not apply to casual literary work or to service as an examiner or similar employment or to acceptance of foreign service, which is governed by Service Regulation 65.

(3) No employee who immediately before going on leave preparatory to retirement held a post in Class I or Class II Service in a permanent or officiating capacity should be permitted, except for

special reasons, to accept any employment, until such leave expires and his constructive date of retirement commences.

**Note:** This regulation should not be construed as permitting an employee who avails himself of leave on medical certificate to undertake employment during such leave.

**(4) Terms to be granted to employees on leave during leave preparatory to retirement:**

When an employee, whether eligible for pension or not, who is on leave under regulation 29 is employed in any post under the Board, he may continue to enjoy his leave concurrently with such employment, but his leave salary, which may be drawn in addition to pay of the post in which he is employed, will be reduced by the amount of pension and pension equivalent of other retirement benefits.

**Note:** The calculation of pension equivalent of the gratuity shall be based on the full amount of the Death-cum-Retirement Gratuity admissible under the Tamil Nadu Electricity Board Liberalised Pension Regulations, 1960 and not on the amount of gratuity reduced with reference to regulation 5 of the Tamil Nadu Electricity Board Employees Family Pension Regulations, 1964 issued in Board's Proceedings Ms.No.790, dated the 29th March 1965.

No leave will be earned in respect of such period of employment during leave. During such employment, he may also be granted Dearness and Compensatory allowances, if any, admissible on the basis of pay. These allowances will neither be admissible on leave-salary, nor will the leave salary be taken into account in calculating the allowances.

**(5)** When an employee is permitted, during leave preparatory to retirement before attaining the age of superannuation or during leave under regulation 29(b) to take up employment elsewhere than under the Tamil Nadu Electricity Board, his leave-salary will also be restricted as in clause (4) above.

**12. RECALL FROM LEAVE:**

All orders recalling an employee to duty before the expiry of his leave should state whether the return to duty is optional or compulsory. If the return is optional, the employee is entitled to no concession. If it is compulsory, he is entitled to be treated as on duty from the date on which he starts for the station to which he is ordered, and to draw Travelling Allowance under the regulations and in this behalf for the journey, but to draw until he joins his post leave-salary only.

**Note:** When an employee who has proceeded on leave preparatory to retirement is required for employment during such leave in any post under the Board and is recalled to duty with his consent, such recall will be treated as 'optional' for the purpose of this regulation.

**13. (a) PRODUCTION OF MEDICAL CERTIFICATES:**

No employee who has been granted leave on medical certificate may return to duty without first producing a medical certificate of fitness in the form prescribed below.-

**Signature of applicant:**

We the members of a Medical Board \_\_\_\_\_  
 Civil Surgeon of \_\_\_\_\_ a Registered  
 Medical Practitioner of \_\_\_\_\_,  
 certify that we/I have carefully examined A,B,C of  
 Thiru/Thirumathy \_\_\_\_\_ whose signature is given  
 above, and find that he has recovered from his illness and is not fit  
 to resume duties in Board's service. We/I also certify that before  
 arriving at this decision, we/I have examined the original medical  
 certificate and statements 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.

**(b)** The authority by whom leave has been granted to an employee for reasons of health, though not on a medical certificate, has power to require the submission of a medical certificate of fitness before he returns from leave.

**(c)** If the employee on leave is an employee in Class I or II Service who has taken leave on a certificate granted by a Medical Board, the certificate of fitness to return to duty should also be from a Medical Board except:

- (1)** in case in which the leave is for not more than ninety days, or
- (2)** in cases in which the leave is for more than 90 days or leave for 90 days or less is extended beyond 90 days but the Medical Committee granting the original certificate or the certificate for extension state at the time of granting such certificate that the employee need not appear before another Committee for obtaining the certificate of fitness to return to duty.

In the cases in items (1) and (2) above, the certificate should be signed by a Commissioned Medical Officer or a Government Medical Officer in charge of a civil station.

**(d)** If the employee on leave does not belong to Class I or Class II Service the authority under which the employee will be employed on return from leave may, in its discretion, accept a certificate signed by any registered medical practitioner.

#### **14. RETURN TO DUTY BEFORE EXPIRY OF LEAVE:**

**(1)** An employee on leave may 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.

**(2)** Notwithstanding anything contained in sub-regulation (1), an employee on leave preparatory to retirement shall be precluded from withdrawing his request for permission to retire and from returning to duty save with the consent of the authority empowered to appoint him.

**Note (1):** An employee desiring to return to duty within the period of his leave should communicate his desire to the authority which sanctioned the leave sufficiently early to enable suitable arrangements to be made.

**Note (2):** An employee returning to duty at a time other than that fixed for him by the authority which granted him leave has no claim to be appointed to any particular post and will be allowed to join only when a suitable vacancy occurs.

**Note (3):** No formal cancellation of the unexpired portion of leave is necessary when an employee returns to duty before the expiry of his leave.

## **15. OVERSTAYAL OF LEAVE:**

**(1)** An employee who remains absent after the end of his leave, the period of such overstayal of leave should, unless the leave is extended by the competent authority, be treated as follows:

**(a)** If he is in Class I, Class II or Class III Service-

**(i)** as leave on private affairs to the extent such leave is due, unless the overstayal is supported by a medical certificate;

**(ii)** as leave on medical certificate to the extent such leave is due, if the overstayal is supported by a medical certificate;

**(iii)** as extraordinary leave to the extent the period of leave due on private affairs and/or on medical certificate falls short of the period of overstayal.

**(b)** If the officer is in Class IV Service as in Clauses (a)(ii) and (iii) above MUTATIS MUTANDIS.

**(2)** The employee is not entitled to leave salary during such overstayal of leave not covered by an extension of leave by the competent authority.

**(3)** Willful absence from duty after the expiry of leave may be treated as misbehaviour for the purpose of regulation 31 of the Service Regulations.



**16. EARNED LEAVE:**

**(1) (a)** A permanent employee shall earn leave at the rate of 1/11th of the period spent on duty provided that he shall cease to earn leave while he has to his credit such leave amounting to 240 days.

**(b)** A non-permanent employee (i.e.) a probationer and a temporary employee, shall earn leave at the rate of 1/22 of the period spent on duty provided that he shall cease to earn leave while he has to his credit such leave amounting to 30 days.

**Note:** Persons appointed as Assistant Engineers and Junior Engineers II Grade, Junior Assistants, Typists, Assessors, Stores Custodians II Grade, Record Clerks, Office Helpers, etc, from Regular Work Establishment will be allowed to carry forward the earned leave at their credit in their leave account prior to their appointment as Junior Assistants/Typists/Assessors, Stores Custodian II Grade/Record Clerks, Office Helper, etc.

**(2)** The amount of leave due to permanent or non-permanent employees in any Class of Service is the amount of earned leave diminished by (i) the earned leave which has been taken, and (ii) one half of the amount of special disability leave taken on full pay under regulation 22 (7) (b).

**(3)** An employee may, at any time, be granted the whole or any part of the leave at his credit subject to the maximum prescribed in sub-regulation (1) or (2) above.

**(4)** If any interruption of duty other than leave occurs in the service of any non-permanent employee, the earned leave to his credit shall lapse.

**(5)** If at any time an approved probationer in any Class of service ceased to be in employment, for want of a vacancy and is subsequently re-appointed, his leave account shall-

- (i)** be credited with the amount of earned leave due to him on the day when he last ceased to be in employment; and

- (ii) be debited with the amount of all unearned leave taken by him prior to such date.

**Note (1):** Even though an approved probationer is allowed to earn leave and be granted leave as permanent employee, re-calculation of his leave account in respect of his previous duty is not permissible. Such recalculation should be made only after the employee is substantively appointed to a permanent post.

**Note (2):** The grant of any kind of leave to non-permanent employee shall be subject to the condition that but for the grant of the leave, he would have continued to hold a post in Board's service until the expiry of the leave.

**Note (3):** The Chairman/Chief Engineer is empowered to grant leave as follows to an employee in Class III and Class IV Service in the office/offices under his control who is on probation and whose probation has been terminated but who has been subsequently reinstated on appeal to cover the period of non-employment-

- (i) earned leave at his credit on the day of termination of probation; and
- (ii) extra-ordinary leave to the extent necessary.

### **UNEARNED LEAVE**

#### **Permanent Employees in Class I, II and III Services.**

#### **17. (1) Leave on Private Affairs:**

Leave on Private Affairs may be granted to a permanent employee in Class I, II and III Service for 180 days in all and upto a maximum of 90 days at any one time.

Leave on Private Affairs may be combined with earned leave, but the total amount of leave so combined admissible at any one time, shall be limited to six months.

**(2) Leave on Medical Certificate:**

- (a) Leave on medical certificate may be granted to a permanent employee in Class I, II and III Service for 360 days in all. Such leave shall be given only on production of a certificate from such medical authority as the Board may by general or special order prescribe and for a period not exceeding the amount of leave recommended in the certificate.
- (b) When the period of 360 days prescribed in sub-regulation (a) has been exhausted, further leave on medical certificate for a period not exceeding 180 days in all may be granted in exceptional cases on the recommendations of the medical authority referred to in sub-regulation (a).

(3) Unearned leave with allowance may, in no case be granted, unless the sanctioning authority is satisfied that as far as can be reasonably foreseen, the Board employee will return to duty, provided that such leave may be granted preparatory to retirement. Board employee may however be granted such leave in cases where they die or are invalidated on Medical grounds before or after sanction of such leave for the period of absence till the date of death or invalidation as the case may be.

**Note (1):** In cases where the second period of unearned leave on private affairs preparatory to retirement is taken within a month of duty and the competent authorities are of the view that it is done in order to evade the operation of the above regulation, the two periods of leave shall be treated as one, and the leave already sanctioned revised in accordance with the above regulation. The excess leave salary, if any, shall be recovered from the employee concerned.

**Note (2):** The authority sanctioning leave shall get from the Board employee, who applies for unearned leave with allowance an undertaking that he will refund the leave salary for the period of unearned leave in case he does not return to duty after expiry of the leave. In the case of Board employee who dies while on UEL on MC or is invalidated on medical grounds on the expiry of such leave or during

the course of leave, the refund of leave salary drawn till the date of death/invalidation, shall not arise.

(4) Omitted.

**(5) Permanent employees in Class IV Service:**

- (i) A permanent employee in Class IV Service may be granted leave on medical certificate for 180 days in all.
- (ii) Unearned leave with allowances may in no case be granted unless the sanctioning authority is satisfied that, as far as can be reasonably foreseen, the employee will return to duty.

**Note:** Please see note 2 under Regulation 27(3).

**UNEARNED LEAVE**

**18 (1)** Non-permanent employees in Class I, II or III Service who has served for not less than two years, may be granted leave on medical certificate for 180 days in all and upto a limit of 60 days at any one time.

**Note:** A non-permanent employee in Class I, II or III Service who has proceeded on leave prior to the completion of two years of service may be granted leave on medical certificate during any period after the completion of two years of service. This leave may be availed of during the course of a spell of leave or during an extension thereof if by that time he has completed two years of service.

**(2) Non-Permanent employees in Class IV Service:**

A non-permanent employee in Class IV service, who has completed continuous service of one year, may be granted leave on medical certificate for a maximum period calculated at ten days for every completed year of his service less the amount of leave taken under this regulation. If he is appointed substantively to a permanent post without interruption in service, any leave so granted shall be reckoned as leave on medical certificate for the purpose of sub-regulation (5)(i) under Regulation 17. An approved probationer may, however, be granted leave for 540 days in all, less the amount of

leave taken under this Regulation for the treatment of tuberculosis, leprosy, cancer or hansen's disease, subject to the production of a medical certificate from the medical officer incharge of a recognised medical institution of his having undergone regular treatment during the period of such leave.

(3) Notwithstanding anything contained in clause (1) above, an approved probationer in Class I, II or III service shall be eligible for such leave as would be admissible to him if he held his post substantively.

**18-A.** The amount of leave due to an employee is the balance of leave at his credit in the leave account.

## **19. EXTRAORDINARY LEAVE:**

### **(a) Permanent employee:**

Extraordinary leave may be granted to a permanent employee in any Class of Service in special circumstances-

- (i) when no other leave is admissible under these regulations, or
- (ii) when other leave being admissible, the employee concerned applies in writing for the grant of extraordinary leave.

### **(b) Non-Permanent employees:**

A non-permanent employees in any Class of Service may be granted extraordinary leave upto a limit of six or twenty four months at any one time.

Provided that the leave for the longer period shall be admissible only if the employee concerned has been in continuous service for a period exceeding one year and if he is undergoing treatment for pulmonary tuberculosis or leprosy in a recognized sanatorium or Leprosy Institution or receives treatment at his residence under a tuberculosis or leprosy specialist, as the case may be, recognised as such by the State Administrative Medical Officer concerned, and produces a certificate signed by the specialist to the effect that he is under treatment of such specialist and that he has reasonable chances of recovery on the expiry of the leave recommended.

Extraordinary leave is not debited against the leave account. Periods of absence without leave may be commuted retrospectively into extraordinary leave by the competent authority.

**Note:** When extraordinary leave is applied for by employees in continuation of and beyond a period of continuous absence on leave with allowances preparatory to retirement, it should be carefully examined with a view to seeing that the employees do not intend to derive the unintended benefit of counting a longer period of leave with allowances for pension. If the authorities competent to sanction leave have reason to believe that an attempt is being made by the employee to derive the benefit of counting longer years of service for purpose of pension, they should refuse the extraordinary leave in such cases by exercising the discretion vested in them under Regulation 7.

**Conditions regarding grant of leave for treatment of Tuberculosis or Leprosy:**

Unearned leave on medical certificate for treatment of tuberculosis or leprosy may be granted to permanent employees and approved probationers in any class of service subject to the production of a medical certificate from the Government authorized medical attendant of the employee concerned, or the Medical Officer in charge of a recognised sanatorium or leprosy institution, if he is undergoing treatment there.

The grant of extraordinary leave to temporary employees undergoing treatment for tuberculosis or leprosy or cancer or hansens disease in a recognised sanatorium or leprosy institute is subject to the following conditions:-

- i) the post from which the employee proceeds on leave is likely to last till his return to duty; and
- ii) a certificate from the Medical Officer in-charge of the sanatorium or leprosy institution specifying the period for which leave is recommended should be produced.

Extraordinary leave upto twelve months may be granted also to temporary employees suffering from tuberculosis of any part of the body on the production of a certificate by a qualified TB Specialist declared as such by the State Government or a Civil Surgeon.

**Grant of leave to re-employed persons:**

**20. (a)** A person who has retired from the service of the Board on re-employment earns leave at the rate of one-twenty second of the period spent on duty subject to a maximum of thirty days.

**(b)** A re-employed person may be granted on the termination of his appointment the amount of leave earned by him during the period of re-employment, but subject to a maximum of thirty days provided that he had formally applied for the leave in sufficient time and been refused it on administrative grounds.

**(c)** A re-employed person, who has been re-employed for more than one term may be permitted to carry forward the periods of leave earned in the earlier spells of re-employment to subsequent spells irrespective of the number of such extensions, subject to the provisions of Note (2) under regulation 16 and clause (b) above, provided the re-employment is continuous.

**(d)** A re-employed person if he has put in a continuous service of not less than two years on re-employment terms may be granted leave on medical certificate for six months in all and upto a limit of two months at any one time which he may commute into leave on full pay for three months in all and upto a limit of one month at any one time.

**21. (1) - Deleted.**

**(2) Calculation of leave on substantive appointment:**

If a non-permanent employee is substantively appointed to a permanent post his leave account shall—

**(i)** be credited with the amount of earned leave which would have been admissible to him if he had been a

permanent employee in respect of his previous duty, diminished by (a) the amount of earned leave, which has been taken, and (b) one-half of special disability leave taken on full pay under regulation 22(7)(b); and

- (ii) be debited with the amount of all unearned leave taken by him prior to the date of his substantive appointment.

**Explanation:-** "Previous duty" in this regulation means-

(a) duty before the date on which probation is completed or is deemed to have been completed satisfactorily, uninterrupted other-wise than by leave, and

(b) duty on and after the said date.

**Note (1):** The benefits of the above regulation shall be extended to all approved probationers who have put in a total service of 5 (five) years.

**Note (2):** Service rendered in respect of an appointment under emergency provisions should not be treated either as "previous duty" for the purpose of regulation 21 (2) or included in the total service of 5 years for the purpose of Note(1) above.

### **(3) Commutation:**

(a) The authority which granted leave to an employee can commute it retrospectively into leave of a different kind which may be admissible but the employee cannot claim it as a matter of right.

(b) Extra-ordinary leave granted during probation where there was no earned leave at credit, cannot, however, be commuted retrospectively into earned leave. The additional credit in the leave account arising on confirmation due to the re-casting of the leave account under clause (2) above can be utilised only for leave taken subsequent to such confirmation.



**(c) Commutation of extraordinary leave into earned leave in respect of an employee confirmed with retrospective effect: -**

When a person is confirmed with retrospective effect, commutation of the extraordinary leave taken by him already into earned leave will be permissible, if such leave taken falls subsequent to the date from which he is confirmed. No readjustment or commutation of leave taken prior to the date of confirmation will, however, be permissible.

**(d)** When an employee is declared to have satisfactorily completed his probation with retrospective effect, his leave account should be recast with effect from the date of completion of probation, and the leave already availed of between that date and the date of issue of orders regarding completion of probation may be altered to the advantage of the employee at his option.

**\$\$**

**21-A. LEAVE FOR EMPLOYMENT ABROAD:**

Notwithstanding anything contained in the provisions of the Tamil Nadu Electricity Board Leave Regulations or Regulation 32 of the Service Regulations, Board employee may be sanctioned extraordinary leave without allowance for employment abroad, subject to the following conditions, namely:-

- (1) Board employees who seek employment abroad either through Overseas Manpower Corporation Limited or other available sources may be sanctioned extraordinary leave without pay and allowances for a maximum period of five years, after verifying the genuineness of employment abroad by way of appointment order or visa or other documents.
- (2) The initial period of such leave shall be limited to the initial period of employment offered by the employer abroad, or in the absence of orders of appointment, such leave may be sanctioned initially for a period of one year, based on the Visa obtained, and further extension of the leave may be granted on production of evidence that he continues or continued to be in the same job or is or was employed by another genuine employer abroad.

- (3) The period of absence on leave for employment abroad shall be counted as service **for the purpose of pension only**, if necessary pension contribution are paid by the Government servant to the Accountant General, Tamil Nadu from time to time, with appropriate interest for belated payments, if any.
- (4) Employment with United Nations Organisations or any other foreign assignment through the Government of India shall not fall under the purview of leave for employment abroad.
- (5) The period of leave for employment abroad shall neither count as service nor shall it be taken into account for calculation of accrued leave. The employee shall settle his terms of leave and leave salary with the employer abroad. **\$\$**

**\$\$** Added vide (Per) B.P.(FB) No.16 (SB), dated 13.03.2001.

## **22. SPECIAL DISABILITY LEAVE:**

(1) Subject to the conditions hereinafter specified, the Chairman, Tamil Nadu Electricity Board in the case of employees in Board's Secretariat and the Chief Engineer in the case of employees in his office and other subordinate offices under his control may grant special disability leave to an employee who is disabled by injury intentionally inflicted or caused in, or in consequence of the due performance of his official duties or in consequence of his official position.

(2) Such leave shall not be granted unless the disability manifested 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 notice. But, the Chairman of the Board, if he is satisfied as to the cause of the disability, may permit such leave to be granted in cases where the disability manifested itself is more than three months after the occurrence of its cause.

(3) The period of leave granted shall be such as is certified by a Medical Board to be necessary. It shall not be extended except on the certificate of a Medical Board and shall in no case exceed 24 months.

(4) Such leave may be combined with leave of any other kind.

(5) Such leave may be granted more than once if the disability is aggravated or reproduced in similar circumstances at a later date, but not more than 24 months of such leave shall be granted in consequence of any one disability.

(6) Such leave shall be counted as duty in calculating service for working out the retiring benefits and shall not, except as provided in regulation 16(2), be debited against the leave account.

(7) Leave salary during such leave shall be equal-

(a) for the first 120 days in the case of permanent and approved probationers in Class I, II and III Service, 60 days in the case of such employees in Class IV service and 30 days in the case of probationers in Classes I to IV Service, as the case may be, of any period of such leave, including a period of such leave granted under clause (5) of this regulation, to full pay, and

(b) for the remaining period of any such leave to half pay or at the employee's option, for a period not exceeding the period of full pay which would otherwise be admissible to him to full pay.

(8) (i) In the case of a person to whom the Workmen's Compensation Act, 1923, applies, the amount of leave salary payable under this regulation shall be reduced by the amount of compensation payable under Section 4(1) (d) of the said Act.

(ii) In the case of a person to whom the Employees' State Insurance Act, 1948 (Central Act XXXIV of 1948) applies, the amount of leave salary payable shall be reduced by the amount of benefit admissible under the said Act, for the corresponding period.

**23.** The Board may extend the application of the provisions of regulation 22 to an employee who is disabled by injury, accidentally incurred in or in consequence of the due performance of his official duty or in consequence of his official position, or by illness incurred in the performance of any particular duty which has the effect of increasing his liability to illness or injury beyond the ordinary risk attaching to the post which he held. The grant of this concession is subject to the further conditions:-

- (i) that the disability, if due to disease, must be certified by a Medical Board to be directly due to the performance of the particular duty;
- (ii) that, if the employee has contracted such disability during service under the Board, it must be, in the opinion of the Board, so exceptional in character or in the circumstances of its occurrence as to justify such unusual treatment as the grant of this form of leave; and
- (iii) that the period of absence recommended by the Medical Board may be covered in part by leave under this regulation and in part by other leave and that the amount of special disability leave granted on full pay may be less than 120 days in the case of permanent employees and approved probationers in Class I, II and III service, 60 days in the case of such employees in Class IV Service and 30 days in the case of probationers in Classes I to IV service.

#### **24. MATERNITY LEAVE:**

(1) Competent authority may grant maternity leave on full pay to permanent married women Board employees for a period not exceeding ## 180 days ## which may be spread over from the pre-confinement rest to post confinement recuperation at the option of the Board employee. The maternity leave will not be admissible to married women Board employees with more than three children. Non-permanent married women Board Employees, whether appointed in a regular capacity or under the emergency provisions of the relevant service regulations, should take for maternity purposes the earned leave for which they may be eligible. If, however, such a Board employee is not eligible for earned leave or if the leave to her

credit is less than ## 180 days ##, maternity leave may be granted for a period not exceeding ## 180 days ## or for the period that falls short of ## 180 days ##, as the case may be. Non-permanent married women Board employees employed under the emergency provisions should have completed one year of continuous service including leave periods if any, to become eligible for the grant of maternity leave.

Provided that on and from 08.05.95, Maternity Leave shall be granted to a woman Board employee with less than two surviving children.

**Note (1):** Approved probationers in other than Class IV Service shall be eligible for maternity leave as for permanent Board employees.

**Note (2):** In the case of married women Board employees who are confined during the period of their leave including extraordinary leave, the ## 180 days ## period referred to above shall be reckoned only from the date of confinement.

**Note (3):** For the purpose of this sub-regulation, the expression "Three living children" in the said sub-regulation shall not include adopted children.

**##** Substituted vide (Per) TANGEDCO Proceedings No.9 (SB), dated 23.01.2014.

**(2)** A competent authority may grant maternity leave on full pay to permanent married women employees in case of abortion also for a period which may extend to six weeks. A non-permanent married woman employee, whether appointed in a regular capacity or under the emergency provisions of the Service Regulations, should take in such cases ordinary leave on full pay for which she may be eligible. If, however, such an employee is not eligible for any leave on full pay, or if the leave to her credit is less than six weeks, maternity leave may be granted for a period not exceeding six weeks, or for a period that falls short of six weeks, as the case may be. Non-permanent married woman employee employed under the emergency provisions should have completed one year of continuous service, including leave periods if any, to become eligible for the grant of maternity leave.

(3) The grant of maternity leave is subject to the following further condition -

Unless an abortion takes place in a Government Hospital or Local Fund or Municipal Hospital or in a recognised Nursing Home and the respective medical officer in charge of the institution certifies that the abortion took place after 12 weeks of pregnancy, the leave should not be granted. Where there are no hospital facilities, women employees should appear before the Government authorised medical attendant concerned when the sign of abortion still exists or go to him for antenatal examination after 12 weeks of pregnancy so that the Government authorised medical attendant concerned may be in a position to issue the necessary certificate.

**Note (1):** In the case of maternity leave for miscarriage or abortion, the certificate from a registered medical practitioner authorised under the Medical Termination of Pregnancy Act 1971 (C.A.34 of 1971) may be accepted.

(4) A competent authority may grant maternity leave for a period which may extend upto six weeks to permanent married women employees who undergo Medical Termination of Pregnancy of 12 weeks or more but not exceeding 20 weeks under the Medical Termination of Pregnancy Act, 1971 (Central Act 34 of 1971).

A non-permanent married woman employee whether appointed in a regular capacity or under the emergency provisions of the relevant service rules, who undergoes medical termination of pregnancy of 12 weeks or more but not exceeding 20 weeks under the Medical Termination of Pregnancy Act, 1971 (Central Act 34 of 1971) should take earned leave for which she is eligible. If however, such a Board employee is not eligible for any earned leave, or if the leave to her credit is less than six weeks, then the competent authority may grant maternity leave for a period of not exceeding six weeks or the period which falls short of six weeks as the case may be. Non-permanent married women employees employed under the emergency provisions should have completed one year of continuous service including leave period if any, to become eligible for the grant of maternity leave;

Provided that the maternity leave referred to above is subject to the condition that the termination of pregnancy shall be performed at Government Hospitals or other institutions approved

under the Medical Termination of Pregnancy Act, 1971 (Central Act 34 of 1971).

Provided further that on and from 8.5.95 Maternity Leave not exceeding six weeks for mis-carriage, including natural abortion or Medical Termination of Pregnancy under the Medical Termination of Pregnancy Act, 1971 (Central Act 30 of 1971) shall be granted to a woman Board employee irrespective of number of surviving children, on production of Medical Certificate.

**(5)** Leave of any other kind may be granted in continuation of maternity leave, if the request for its grant be supported by a medical certificate.

Provided that on and from 08.05.95, leave of any kind due and admissible under the rules may be granted upto a maximum period of one year in continuation of maternity leave, if leave applied for is supported by a medical certificate.

**Note:** Leave of any other kind in continuation of maternity leave may also be granted in case of illness of a newly born baby, subject to the female employee producing a medical certificate from the Government authorised medical attendant concerned to the effect that the condition of the ailing baby warrants mother's personal attention and her presence by the baby's side is absolutely necessary.

**(6)** The Chief Engineer and other competent authorities may grant maternity leave to women employees under their control subject to the restrictions laid down in regulation 8.

**Note (1):** Maternity leave may be granted in continuation of other kinds of leave.

**Note (2):** There shall be no limit for combining earned leave with maternity leave.

**Note (3):** A female employee in class I or II Service applying for leave under sub-regulation (5) above shall follow the procedure laid down in regulation 34-II.

**Note (4):** The leave salary for the period of maternity leave availed of by a female employee while on foreign service should be borne by the foreign employer. This condition should be incorporated as one of the terms and conditions of deputation of the employee in the orders sanctioning the deputation.

**Note (5):** Maternity Leave of six weeks for natural abortion/medical termination of pregnancy under the Medical Termination of Pregnancy Act, 1971, (Central Act 30 of 1971) under sub-regulations (2), (3) and (4) shall be granted only for two times to married women Board employees who have no living child, or for three times to those who have one living child with a condition to undergo sterilisation permanently for the grant of this leave for the third time, or for two times to those who have two living children with a condition to undergo sterilisation permanently for grant of this leave for the second time.

## **25. STUDY LEAVE:**

Leave may be granted to the employees of the Board subject to the terms and conditions in the Annexure to enable them to study scientific, technical or similar problems or to undergo special courses of instruction. Such leave will not be debited against the leave accounts. This regulation relates to grant of study leave only to employees who undertake the study at their own cost or on scholarships granted by any Government or Institution and is not intended to meet the case of employees deputed to other countries at the instance of the Board either for the performance of special duties imposed on them or for the investigation of specific problems connected with their technical duties.

## **ANNEXURE**

### **1. Conditions for grant of study leave:**

**(1)** Study leave may be granted to an employee of the Board with due regard to the exigencies of Board's 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 for a course of training or study tour in which an employee of the Board 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 the Board from the point of view of Board's interest and is related to the sphere of duties of the employee.

**(3)** Study leave shall not be granted unless-

- (i)** it is certified by the Chief Engineer in the case of employees in the offices under his control and by the Chairman in the case of employees in the Board's Secretariat that the proposed course of study or training shall be of definite advantage from the point of view of Board's interest;
- (ii)** it is for prosecution of studies in subjects other than academic or literary subjects; and
- (iii)** the release of foreign exchange involved in the grant of study leave, if such leave is out of India, is agreed to by the Government of India.

**(4)** Study leave out of India shall not be granted for the prosecution of studies in subjects for which adequate facilities exist in India or under any of the schemes administered by the Government of India.

**(5)** Study leave shall not ordinarily be granted to an employee-

- (i)** who has rendered less than five year's service under the Board; or
- (ii)** who does not hold a post in Class I or II Service under the Board; or
- (iii)** who is due to retire or has the option to retire from the Board's Service within three years of the date on which he is expected to return to duty after the expiry of the leave.

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

(7) Leave of any other kind shall not be granted to a Board employee during the period of study leave.

## **## 2. Authority competent to Sanction Study leave:**

The Chairman shall grant study leave to all the employees of the Board under regulation 25. ##

## Substituted vide (Per) B.P.(FB) No.11 (SB), dated 23.01.2002.

## **3. Maximum amount of study leave that may be granted at a time and during the entire service:**

The maximum amount of study leave that may be granted to an employee shall be -

- (i) ordinarily twelve months at any one time, which shall not be exceeded save for exceptional reasons; and
- (ii) twenty four months in all during his entire service.

## **4. Combination of study leave with leave of other kinds:**

(1) Study leave may be combined with other kinds of leave, but in no case shall, the grant of this leave in combination with leave other than extraordinary leave involve a total absence of more than twenty eight months from the regular duties of the employee.

(2) An employee granted study leave in combination with any other kind of leave may, if he so desires, commence his study before the end of the other kind of leave but the period of such leave coinciding with the course of study shall not count as study leave.

**Note:** The limit of twenty eight months of absence prescribed in clause (1) includes the period of vacation.

**5. Regulation of study leave extending beyond course of study:**

When the course of study falls short of study leave sanctioned, the employee shall resume duty on the conclusion of the course of study, unless the previous assent of the Board to treat the period of short-fall as ordinary leave has been obtained.

**6. Grant of study allowance:**

A study allowance shall be granted for the period of study leave.

**7. Rates of study allowance:**

(1) The rates of study allowance shall be at the same rates as are allowed by the Government of Tamil Nadu for their servants from time to time.

(2) In cases where an employee is on study leave at the same place as his place of duty, the leave salary plus the study allowance shall not together exceed the pay that he would have otherwise drawn had he been on duty.

**8. Conditions governing grant of study allowance:**

(1) Study allowance may be paid at the end of every month provisionally subject to an undertaking in writing being obtained from the employee that he would refund to the Board any overpayment consequent on his failure to produce the required certificate of attendance or otherwise.

(2) An employee may be allowed to draw study allowance for the entire period of vacation during the course of study subject to the condition that-

- (i) he attends during vacation any special course of study or practical training under the direction of the Board;
- (ii) in the absence of any such direction he produces satisfactory evidence that he has continued his studies during the vacation.

(3) No study allowance shall be drawn during vacation falling at the end of the course of study except for a maximum period of fourteen days.

**Note:** The period of vacation during which study allowance is drawn shall be taken into account in calculating the maximum period of twenty four months for which study allowance is admissible.

(4) Study allowance shall not be granted for any period during which the employee interrupts his course of study to suit his own convenience:

Provided that the Board may authorise the grant of study allowance, for any period not exceeding fourteen days at a time during which the employee is prevented by sickness from pursuing his course of study.

(5) In the case of a definite course of study, the study allowance shall be payable on claims submitted by the employee from time to time supported by proper certificates of attendance.

(6) The certificate of attendance required to be submitted in support of the claims for study allowance shall be forwarded at the end of the term, if the employee is undergoing study in an educational institution, or at intervals not exceeding three months, if he is undergoing study at any other institution.

(7) When the programme of study approved does not include, or does not consist entirely of such a course of study, the employee shall submit to the Board direct or through the Head of the diplomatic Mission a diary showing how his time has been spent and a report indicating fully the nature of the methods and operations which have been studied and including suggestions as to the possibility of adopting such methods of operations to conditions obtaining in India. The Board shall decide whether diary and report show if the time of the employee was properly employed and shall determine accordingly for what period study allowance may be granted.

- (8) (i) In the case of an employee who holds a post in Class I or II Service, the payment of study allowance at the full rate shall be subject to the production of a certificate to the effect that he is not in receipt of any scholarships, stipend or any other remuneration in respect of any part-time employment, and
- (ii) In the case of an employee who does not hold a post in Class I or II Service, to whom study leave has been granted in relaxation of the provisions of clause (5)(ii) of paragraph 1 above, the certificate referred to in clause (i) of the paragraph shall be obtained from him by the drawing officer and the same shall be enclosed along with the bill for the drawal of study allowance.

**9. Grant of study allowance to employees in receipt of scholarship or stipend:**

An employee, who is granted study leave, may be permitted to receive and retain, in addition to his leave salary, any scholarship or stipend that may be awarded to him. Such employee shall not ordinarily be granted any study allowance; but in cases where the net amount of the scholarship or stipend (arrived at by deducting the cost of fees paid by the employee, if any, from the value of the scholarship or stipend) is less than the study allowance that would be admissible but for the scholarship or stipend the difference between the net scholarship or stipend and the study allowance may be granted by the Board.

**10. Grant of study allowance to employees who accept part-time employment during study leave:**

If an employee, who is granted study leave, is permitted to receive and retain in addition to his leave salary, any remuneration in respect of a part-time employment, he shall not ordinarily be granted any study allowance; but in cases, where the net amount of remuneration received in respect of the part-time employment (arrived at by deducting from remuneration any cost of fee paid by the employee) is less than the study allowance that would be admissible but for the remuneration, the difference between the net remuneration and the study allowance may be granted by the Board.

**11. Allowances in addition to study allowance:**

No allowance of any kind other than the study allowance shall be admissible in respect of the period of study leave granted to an employee.

**12. Execution of a Bond:**

Every Board employee in permanent employment who has been granted study leave or extension of such leave shall be required to execute a bond in Form 'A' or 'A-1', as the case may be, as given in Appendix-II to these Regulations, before the study leave or the extension of such leave granted to him commences. If study leave or the extension of such leave is granted to a Board employee not in permanent employment, the bond shall be executed in Form 'B' or Form 'B-1' as the case may be, as given in the Appendix-II to these Regulations.

(2) The Board shall send to the Audit Officer and to Accounts Wing, Madras, as well a certificate to the effect that the employee has executed the requisite bond.

**13. Resignation and retirement:**

(1) If an employee resigns or retires from service without returning to duty after a period of study leave after such return to duty, he shall be required to refund double the amount of leave salary, study allowance, and other expenses, if any, incurred by the Board and drawn by him for the period of study leave, together with interest thereon at rates for the time being in force on Board loan from the date of demand before his resignation is accepted or permission to retire is granted.

Provided that the amount required to be refunded under this regulation shall in the case of an employee of the Board who, on return to duty from study leave, is permitted to resign from the service and take up on his own initiative employment under any statutory autonomous body or institution under the control of the Government be reduced to an amount equal to the expenditure incurred by the Board in respect of the leave salary, study allowance, cost of fees, travelling and other expenses sanctioned to him during the period of study leave together with interest thereon.

Provided further that nothing in this regulation shall apply-

- (a) to an employee of the Board who on return from study leave is permitted to retire from service on medical grounds, and
- (b) to an employee of the Board who, after return to duty from study leave is deputed to service in any statutory or autonomous body or institution under the control of the Government and is subsequently permitted to resign from service under the Board with a view to his permanent absorption in the said statutory or autonomous body or institution in the public interest.

(2) The study leave availed of by such an employee 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. In addition to the amount to be refunded by the employee under clauses(1) above, he shall refund any excess of leave salary actually drawn over the leave salary admissible on conversion of the study leave.

#### **14. Leave salary during study leave:**

(1) During study leave, an employee shall draw leave salary equal to the amount admissible during half pay leave under the leave regulations.

(2) The rate of exchange prescribed by the Central Government for the conversion of leave salary shall apply to leave salary during study leave.

#### **15. Commencement of a course of study during leave other than study leave:**

An employee may, subject to the approval being obtained as required under paragraph 18 below, undertake or commence a course of study during earned leave and subject to the provisions in paragraphs 6 to 11 and 13 above draw study allowance in respect thereof.

**16. Counting of study leave for promotion, pension, seniority, leave and increments:**

(1) Study leave shall count as service for promotion, pension and seniority. It shall also count as service for increments as provided in regulation 36 of the Tamil Nadu Electricity Board Service Regulations.

(2) The period spent on study leave shall not count for leave.

**17. Debiting of study leave to the leave account:**

Study leave shall be treated as extra unearned leave and shall not be taken into account in reckoning the aggregate amount of unearned leave taken by the employee towards the maximum period admissible.

**18. Procedure for making application for study leave and grant of such leave:**

(1) All applications for study leave shall be submitted with the Audit Officer's certificate to the Chief Engineer through the proper channel, in the case of the employees in the offices under his control and to the Chairman of the Board in the case of employees in the Board's Secretariat and the course or courses of study contemplated and any examinations which the candidate proposes to undergo shall be clearly specified therein. The applicant shall not, unless prepared to do so at his own risk, commence the course of study nor incur any expenses in connection therewith until he receives approval of the Board to the course.

(2) On completion of a course of study, certificate of examination passed or of special study which should show the dates of commencement and termination of the course, with any remarks of the instructor shall be submitted to the Board.

**RULINGS**

(1) Study leave is not active service and it will not count as service for working out the share of the Board's contribution to the Contributory Provident Fund Payable to the employee on premature voluntary retirement or on compulsory retirement. It cannot count for proportionate pension also.



**Study allowance for the period of private during study leave**

(2) The grant of study allowance is admissible for the period during study leave devoted to the collating and elaborating in the form of readable report of the notes made and literature collected during their tour of inspection, etc.

In the case of an employee granted study leave with the object of taking a definite course of study or preparing for a specific examination, attendance at an institution or supervision by a responsible authority is the normal procedure. The Study Leave regulations should be more strictly adhered to in this case and private work at home is not therefore accepted for purpose of study leave.

(3) Study leave may be granted to an employee of less than five year's service at the discretion of the authority competent to grant the leave.

(4) Scholarship or stipend received by an employee from the Board's funds is treated as honorarium. It is only when an employee is awarded scholarship or stipend from a source other than the above source, it will have to be treated as fees.

No portion of any scholarship or stipend, received during study leave or otherwise, by an employee from a source other than the Board's funds for the purpose of prosecuting a course of studies or receiving specialized training in professional or technical subjects need be credited to the Board.

In cases where permission is granted by the Board, no portion of the payments received by the employees as a result of full-time or part-time employment undertaken by them need be credited to the Board.

(5) The employees sponsored for higher studies or training abroad under the various training schemes of the United Nations, the Colombo plan, the Point Four Programme, etc., and the schemes operated through non-official channels (Rockefeller Foundation, Ford Foundation etc.), shall be governed by the deputations terms that will be sanctioned to them and not by the terms and conditions in regulation 25.

(6) A certificate to the effect that the study allowance claimed in accordance with the paragraphs 9 and/or 10 of the annexure shall be recorded in the bills by the drawing officers.

**ORDINARY CASUAL LEAVE**

**26. (a)** Casual leave is not recognised as leave due or earned under the leave regulations. It is a concession to enable employees in special circumstances to be absent for short periods. An employee on casual leave is not treated as absent from duty:

Provided that the employee (except on an occasion beyond his control) applies for and obtains prior sanction from the competent authority it is open to the competent authority in case of absence from duty without obtaining prior sanction for casual leave to require the employee to furnish proof to show that his absence was for reasons beyond his control. If satisfied with such proof, the competent authority may grant the leave.

An employee may be granted casual leave for not more than 12 days in a calendar year. Casual leave may be combined with Sundays or other holidays provide that the resulting period of absence does not exceed 10 days.

If the eleventh and subsequent days are incidentally declared as holidays on account of natural calamities, death of national leaders, bandhs, strikes, a change in the date of the festival as per the announcements made by religious heads during religious occasions, etc., a Board employee who is on casual leave or compensatory leave may avail himself of those days also eventhough the period of absence exceeds ten days.

**Note:** The fact that a maximum has been fixed for the amount of casual leave which may be taken within a year does not mean that an employee is entitled to take the full amount of casual leave as a matter of course.

**(b)** If in the opinion of the authority competent to sanction casual leave, an employee has either overstayed the period of casual leave sanctioned to him or has absented himself without prior permission, without sufficient satisfactory reasons or is found to be in the habit of absenting himself frequently from duty in spite of warning, such absence will not be treated as casual leave and will be treated as misconduct.

**(c)** The Chief Engineer should intimate his intention of taking casual leave to the Chairman of the Board.

(d) A register of casual leave taken should be maintained in every office.

(e) Daily wage earners and casual workers are not eligible for any casual leave.

(f) In the case of employees appointed on a purely temporary basis and who are likely to be ousted at any time, their eligibility for casual leave shall be calculated with reference to the period actually spent on duty and shall be proportionately limited. As a working principle, they may be granted two days casual leave for every two months' service and such leave may be combined with holidays subject to the maximum prescribed under regulation 26(a).

### **SPECIAL CASUAL LEAVE**

**27 (1) (a).** Special casual leave not counting against ordinary casual leave may be granted to an employee in the following circumstances:-

- (i) When the employee is affected by Rabies.
- (ii) When he is ordered by the head of his office to absent himself from duty on the certificate of a medical officer on account of the presence of Rabies an infectious disease in his house, provided no substitute is appointed and no extra cost to the Board is involved. If, however, a substitute is necessary, ordinary leave debitable to the leave account of the employee should be granted. The grant of special casual leave involving the appointment of substitute in all other cases requires the sanction of the Board, which will be accorded only when the absence is for less than 30 days and the employee concerned draws a pay of less than Rs.100/- per mensem, and has no ordinary leave to his credit.

**Note (1):** When the employee himself catches the Rabies, an infectious disease, regular leave under the leave regulation must be taken for the period of absence.

**Note (2):** The special casual leave may be granted for the purpose of Rabies, an infectious disease.

**Note (3):** Leave under this head shall not ordinarily be granted for a period exceeding 21 days but in exceptional cases, it may be granted upto thirty days.

- (iii) When an employee is summoned to serve as a juror or assessor or to give evidence before a Court in the Indian Union or Foreign Territory as a witness in civil and criminal cases in which his private interests are not in issue, the leave to cover the total period of absence necessary.

(b) In the cases coming under clauses (a) (i) to (iii) above when the absence from duty exceeds the period which may reasonably be treated as casual leave under the discretion vested in the head of the office, the employee may be granted for the entire period of absence such regular leave with leave-salary as may be due to him and thereafter extraordinary leave.

- (c)(1) ## Special Casual Leave may be allowed to an employee participating in Sporting events to the extent absolutely necessary. The period of absence, in excess of the number of days sanctioned shall be treated as regular leave of the kind admissible under the relevant rules applicable to the employees concerned. ## For this purpose, employees may, as a special case, be permitted to combine special casual leave with regular leave but not with regular casual leave. He may be permitted to prefix or suffix or both, the holidays with Special Casual Leave.

## Substituted vide (Per) B.P.(FB) No.36 (SB), dated 19.09.2008.

(2) The special casual leave may be allowed only-

- (a) for participating in sporting events of national or international importance; and
- (b) when the employee concerned is selected for such participation-
  - (i) in respect of international sports event by any National Sports Federation/ Association recognised by the All India council Of Sports and approved by the Ministry of Education, Government of India, and
  - (ii) in respect of events of national importance when the sports event in which participation takes place, is held on an inter-State, inter-zonal

or inter-circle basis, and the employee concerned takes part in the event in a team, as a duly nominated representative on behalf of the State, Zone or Circle, as the case may be.

(3) The concession shall not be allowed for participation either in a national or inter-national sports event in which such participation of the employee takes place in his personal capacity and not in a representative capacity.

(4) The concession of granting special casual leave ##.....## may be extended to-

- (i) those employees whose services are utilised by the National Sports Federation/Association and recognised by the All India Council of Sports and approved by the Ministry of Education, for the coaching or administration of teams participating in Sports events of national or international importance, and

## The expressions "for a period not exceeding 30 days in a calendar year" - omitted vide (P) BP (FB) No.36 (SB), dt.19.9.08.

- (ii) those employees who are selected or sponsored by such Federation/ Association for attending any All-India coaching or training scheme such as the coaching or training course at the National Institute of Sports, Patiala.

**\$\$**

- (5) (i) Special Casual Leave not exceeding eight days may be granted to men Board employees who undergo sterilization operation and twenty days to married women Board employees who undergo non-puerperal sterilization operation during ordinary time i.e. not immediately after confinement in any hospital in this State. **\$\$**

**\$\$** Amended vide (Per) B.P.(FB) No.9 (SB), dated 02.04.2004.

- (ii) **##** The power of granting Special Casual Leave up to 30 days, in the case of Class-III and IV employees working in the Board Office Secretariat Branch and Board Office Audit Branch shall be exercised by the Secretary to the Tamil Nadu Electricity Board; and by the Chief Financial Controller/General and the respective Chief Engineer in the case of employees working under their control. In the case of Class I and II employees and in exceptional cases where Special Casual Leave for a period exceeding 30 days is considered to be absolutely necessary, the Chairman/Tamil Nadu Electricity Board shall grant such leave. **##**

**##** Substituted vide (Per) B.P.(FB) No.36 (SB), dated 19.09.2008.

- (d) (1)** The period of absence from duty of employees, occasioned by their interview, medical examination, etc., in connection with their joining the Army, Air Force Reserves, Indian Fleet Reserve, Territorial Army, Indian Naval Reserve and Indian Naval Volunteer Reserve, Auxiliary Air Force of Air Defense Reserve, as the case may be, shall be treated as special casual leave.

Provided that this concession shall be admissible only in cases where it may not be possible for the employee concerned to attend to their duties after the said interview and/or medical examination, as the case may be:

Provided further that, if an employee withdraws his candidature at the interview or the medical examination aforesaid he shall not be entitled to any special casual leave.

- (2)** A Special Casual Leave not exceeding 15 days to ex-servicemen boarded out of service on medical ground and reemployed as Civilians for appearing before the Resurvey Medical Boards inclusive of transit period in both ways for reassessment of the disabilities shall be granted and a certificate to the effect that they have actually appeared before the Resurvey Medical Board should later be obtained from each member of

such ex-servicemen and filed in the Casual Leave account of the individual concerned.

- (3) Casual leave cannot ordinarily be taken in combination with any leave mentioned in regulation 6 or with joining time. The Chairman, Tamil Nadu Electricity Board in the case of employees in the Board's Secretariat and the Chief Engineer in the case of employees in his office and other offices under his control, may, however, sanction such combination in special cases provided there is no evasion of the regulations, for instance, when an employee, obliged to be absent owing to the prevalence of infectious disease in his house and placed on special casual leave, himself contract the illness and has to be granted regular leave in continuation.

**Note 1:** When a period of special casual leave is recommended by the Health Officer and it intervenes two spells of leave under the leave regulations, special casual leave may be combined with the regular leave.

**Note 2:** In cases where an employee takes regular leave in continuation of special casual leave granted under regulation 27(1) (a) (ii), he should handover charge on the forenoon of the date of commencement of regular leave. If special casual leave is availed of in continuation of regular leave, the individual should take over charge of his post on expiry of the special casual leave, subject to Audit Officer being informed in the case of employees in Class I or II Service that he was granted special casual leave in continuation of regular leave. If special casual leave is sandwiched between two spells of regular leave, the charge should be handed over on the forenoon of the date of commencement of first spell of regular leave and the employee should take over charge of the post on the expiry of the second spell of regular leave subject to Audit office being informed in the case of an employee in class I or II service that he was granted special casual leave in continuation of first spell of regular leave.

- (4) The grant to an employee of casual leave other than special casual leave or of permission to avail himself of holidays should not ordinarily result in any appreciable extra expenditure to the Board. Care should be taken to see that no employee is allowed to proceed on casual leave or avail himself of holidays frequently if he has actually to be relieved on such occasions and the payment of travelling allowance to another officer thereby becomes necessary.
- (5) Special casual leave not exceeding twenty days may be granted to married women Board employees who are appointed temporarily and who have not completed the period of one year service, when they undergo puerperal sterilisation operation.
- (6) (i) Special casual leave not exceeding seven days shall be granted to an employee of the Board, whose wife undergoes puerperal or non-puerperal sterilization operation. This leave shall be granted only on the production of a Medical Certificate from the Medical Officer who performs the operation, to the effect that the presence of the employee of the Board is essential to look after his wife during her convalescence after such operation.
- (ii) Special Casual Leave not exceeding seven days shall be granted to an employee of the Board whose spouse undergoes sterilisation operation for a second time in the event of the failure of the first operation.
- (iii) The Special Casual Leave shall commence from the date following the date of such operation.
- (iv) The Special Casual Leave shall be granted by the Chief Engineers or as the case may be by the subordinate Authorities who are competent to sanction Regular Leave.
- (7) The entire period of absence of the employees of the Board called out for Home Guard duties shall be treated as special casual leave.



**Casual Leave admissible to persons proceeding for antirabic treatment:**

**28.(a)** Board's employees and their families when exposed to infection from rabid animals or those suspected to be rabid may proceed for anti-rabic treatment either to the Pasteur Institute, Coonoor, or to any of the other treatment centres other than Mission hospitals, provided by the Government whichever is nearest to them.

**(b)** Any employee who has to proceed to the Pasteur Institute, Coonoor, or any other centre for antirabic treatment that is nearest may be granted casual leave for twenty days if he is employed in place which is a treatment centre and casual leave for twenty days plus the time required to go to and return from nearest treatment centre, if he is employed in a place which is not a treatment centre, provided that if the absence of such employee makes it necessary for a substitute to be appointed during this period, the period of absence may, under the orders of the Board, be treated as extra leave on full pay not debitable to his leave account and not as casual leave. Any further leave required should be leave on full or half pay, as the case may be, debitable to his leave account.

**Note:** The grant to Class IV Servants of extra leave on full pay contemplated in this regulation is not subject to the usual condition that there should be no extra expense to the Board.

**29. LAPSING OF LEAVE AT CREDIT:**

**(a)(i)** Leave at the credit of a Board employee in his leave account, other than earned leave, shall lapse on the date of retirement or on the date of termination of the extension of service, as the case may be. The competent authority (Leave sanctioning authority) shall **suo moto** draw and disburse the cash benefits of encashment of earned leave at the credit of the Board employee without formal sanction orders on the date of retirement or on the date of termination of extension of service, as the case may be, or on the next working day, following the date of retirement or termination of extension of service if the date of retirement or termination of extension of service happens to be a holiday.

- (ii) The benefit of encashment of earned leave at the credit of the Board employee on the date of retirement or on the date of termination of extension of service, as the case may be shall be subject to a maximum of 240 days.

Provided that for encashment of earned leave for a period over and above 180 days cash equivalent to Leave salary shall be computed with reference to pay and dearness allowance only.

**EXPLANATION:**

For the purpose of encashment of earned leave provided in this regulation, the Board employee of the following categories shall also be eligible:-

- (i) Cases where the services of a Board employee has been extended, in the interest of public service beyond the date of superannuation;
- (ii) Voluntary or premature retirement;
- (iii) Where the services of a Board employee are terminated by notice or by payment of pay and allowances in lieu of notice or otherwise in accordance with the terms and conditions of his appointment;
- (iv) in the case of death of a Board employee while in service, to the family of the deceased;
- (v) in the case of leave preparatory to retirement;
- (vi) in cases where the Board employee has been compulsorily retired from service as a measure of punishment under the Tamil Nadu Electricity Board Employees Discipline and Appeal Regulations/ Standing orders.
- (vii) in cases where the Board employee has been retired on medical invalidation.

**(b)** If in sufficient time before the date of compulsory retirement or the date of termination of extension of service an employee other than in Class IV service has been denied in whole or in part, on account of exigencies of Board's service any leave applied for and due as preparatory to retirement, then he may be granted after the date of compulsory retirement or the date of termination of extension of service, the amount of Earned Leave which was denied subject to the maximum limit of 120 days so long as the leave so granted, including the leave granted to him between the date from which the leave preparatory to retirement was to commence and the date of compulsory retirement or the date of termination of extension of service, does not exceed the amount of leave preparatory to retirement actually denied. The half pay leave, if any, applied for by an employee preparatory to retirement and denied in the exigencies of Board's service may be exchanged with Earned Leave to the extent such leave was earned between the date from which the leave preparatory to retirement was to commence and the date of compulsory retirement or date of termination of extension of service.

**Note (1):** Leave which is not preparatory to retirement and which is refused by the competent authority in the interest of Board's service will not entitle an employee to the protection of this regulation after the date of superannuation.

**Note (2):** The authority other than the Board competent to grant leave preparatory to retirement shall not be competent to refuse it under regulation 29(b). Such leave shall be refused only by the Board. The leave so refused shall be granted by the Board.

**Note (3):** Compulsory recall of an employee from leave preparatory to retirement or leave sanctioned preparatory to retirement but which could not be enjoyed due to the exigencies of service should be deemed to be a constructive refusal of the balance of leave unenjoyed or a constructive refusal of leave for purposes of this regulation.

- Note (4):** When an employee who has proceeded on leave preparatory to retirement is required for employment during such leave in any post under the Board, he will be recalled to duty and the unexpired portion of his leave from the date of rejoining duty will be cancelled. The leave so cancelled will be treated as leave refused under this regulation and it may be granted from the date of compulsory retirement of the employee. Such recall will be treated as 'optional' for the purpose of regulation 12.
- Note (5):** The grant under regulation 29 of leave extending beyond the date on which an employee must compulsorily retire shall not be treated as an extension of service for the purpose of pensionary or contributory provident fund or other retirement benefits or the retention of lien. The employee shall for purposes of retirement benefits be deemed to have retired from service on the date of compulsory retirement and shall become eligible for all retirement benefits from the date of compulsory retirement.
- Note (6):** Permission to accept private employment concurrently with leave preparatory to retirement shall not ordinarily be granted to an employee with a view to take up private employment during the period of such leave. The Services of such an employee shall be placed at the disposal of the private employer only on the usual foreign service terms till he/she attains the age of superannuation. As the permission to take up private employment is only a concession to the employee, the balance of the leave preparatory to retirement not availed of by him/her as a result of cancellation in order to take up private employment shall not be deemed as constructive refusal of such leave for purposes of this regulation. The return to duty in such cases has to be treated as optional for purposes of regulation 12.
- Note (7):** When refused leave is availed of concurrently with re-employment, the leave salary payable shall be restricted as laid down in Regulation 11 (4). In addition to the leave salary so reduced, the employee shall be eligible for pension also.

**Note (8):** Application for leave preparatory to retirement should be made atleast three months before the date of commencement of the leave applied for. Proposals to refuse leave shall be forwarded to the Board and orders obtained on or before the commencement of the leave applied for. The above condition shall not apply in the case of Board employees retiring voluntarily under Regulation 17(g) of T.N.E.B. Service Regulations.

### **LEAVE SALARY**

**30.** An employee is entitled to leave salary as follows:-

#### **A. An employee in Class I, Class II or Class III Service:**

(a) While on earned leave, or on unearned leave on medical certificate, leave salary is equal to his pay which is greater of the amounts specified below:-

- (i) the substantive pay plus special pay, personal pay and any other emoluments classed as pay on the date before the leave commences;

**or**

- (ii) the average monthly pay plus special pay, personal pay and any other emoluments classed as pay earned during the twelve complete months preceding the month in which the leave commences.

**Exception** - In the case of employees in Class IV service, the pay as defined in Service Regulation 10 (19) on the last day of duty period prior to the commencement of leave, shall be taken for the purpose of item (ii) instead of the average pay as contained therein.

(b) While on leave on private affairs, leave salary is equal to half the pay specified in clause (a) above.

- (c) Omitted.

(d) While on extraordinary leave, the employee is not entitled to any leave salary.

**Note (1):** In the case of a person to whom the Employee's State Insurance Act, 1948 (Central Act XXXIV of 1948) applies, leave salary admissible during leave other than earned leave, shall be reduced by the amount of benefit admissible under the said Act for the corresponding period.

**Note (2):** The leave salary of a non-permanent employee in Class I, Class II or Class III service, who has completed the period of probation, should be regulated under regulation (a) (ii) above though under regulation 16(1) he is allowed a concession to earn leave as admissible to a permanent employee.

**Explanation -** In the case of sanction of increments to Board employee, while they are on leave on the due dates of increment, the monetary benefit of the increment shall be computed for payment of leave salary, from the date of accrual of the increment. The term 'leave' shall include all kinds of leave admissible to a Board employee which count for increment under Tamil Nadu Electricity Board Service Regulations.

#### **B. An employee in Class IV service:**

(a) while on earned leave or on unearned leave on medical certificate leave salary is equal to the pay specified in clause A (a) above.

(b) omitted.

(c) While on extraordinary leave, the employee is not entitled to any leave salary.

**Note:** Grant of leave on average pay for six months to permanent employees in Class IV Service suffering from tuberculosis-

This regulation permits only the drawal of average pay for six months during earned leave or medical leave granted for the treatment of tuberculosis. It is not in addition to other kinds of leave with pay admissible under the regulations.

**C.** Grant of ex-gratia allowance to employees on extraordinary leave undergoing treatment for tuberculosis, Leprosy or Cancer or Hansen's disease.

**(i)** While on extra-ordinary leave for treatment of Tuberculosis, Leprosy, Cancer or Hansen's disease, a Board employee is entitled to an exgratia allowance equal to half his pay subject to a maximum of Rs.250/- (Rupees two hundred and fifty only) per mensem and a minimum of Rs.125/- (Rupees one hundred and twenty five only) per mensem"

**Note:** The competent authority should insist upon the production of a medical certificate before sanctioning extra-ordinary leave for the treatment of tuberculosis, leprosy or cancer or hansen's disease. The ex-gratia allowance will be admissible only when the employee is not eligible for any other leave with allowances and the Medical Officer certifies that there is a reasonable prospect of the employee concerned becoming fit to resume his duties after the completion of his treatment. The drawing officer shall record on the bill claiming the ex-gratia allowance a certificate to the effect that according to the medical opinion there is a reasonable prospect of the employee returning to duty at the completion of treatment.

Provided further that the above ex-gratia allowance shall be allowed to a Board employee as long as he remains as inpatient in any Government Hospital for any length of period, and to others for a maximum period of two years.

**(ii)** An interest free advance of pay shall be given equal to two months' basic pay recoverable in full in not more than eighteen monthly instalments during the period when the employee enjoys full leave salary. If the period during which an employee enjoys full leave salary falls short of 18 months, further recoveries towards

repayment of advance shall be effected from the duty pay of the employee after he rejoins duty.

If, however, a relapse occurs after an employee joins duty, the above concessions will not be extended.

**Note (1):** Unearned Leave on Medical Certificate.

The production of the certificate from the Medical Officer regarding the reasonable prospect of the employee returning to duty on the completion of his treatment for Tuberculosis or Leprosy or Cancer or Hansen's disease, shall be dispensed with for the entire period of unearned leave on medical certificate on full pay, which is applicable to these employees also, with reference to these regulations and/or respective Standing Orders.

**Note (2):** The quantum of leave eligible to the Employees of Board suffering from tuberculosis or Leprosy or cancer or Hansen's disease.

The total quantum of leave entitled to all employees with reference to these Leave Regulations and/or respective Standing Orders should only be taken into account even to Leprosy or Cancer or Hansen's disease.

### **31. LEAVE SALARY OF RE-EMPLOYED PERSONS:**

If a re-employed person is a pensioner and his pension is drawn separately during re-employment, he will, when he proceeds on earned leave, or half pay leave or commuted leave, be entitled to leave salary based on the net re-employed pay (i.e. exclusive of the pension and/or pension equivalent of gratuity) and will continue to draw the pension separately in addition. An employee whose pension has been held in abeyance will draw the leave salary based on the net re-employed pay (i.e. pay minus the amount of the uncommuted pension and/or pension equivalent of gratuity) and in addition an amount equivalent to the pension which was held in abeyance.

An employee whose pension has been held in abeyance, will be allowed to draw during the period of extra-ordinary leave, only an amount equivalent to the pension which was held in abeyance. Where the pension is drawn separately, it will continue to be so drawn during the period of extra-ordinary leave also.



The leave salary in respect of earned leave, half pay leave and commuted leave of employees, who were governed by the Contributory provident fund system prior to retirement will be based on their net re-employed pay. They will not draw any leave salary during the period of extra-ordinary leave.

### **32. COMPENSATORY ALLOWANCE - ADMISSIBILITY DURING LEAVE:**

A compensatory allowance should ordinarily be drawn only by an employee actually on duty. But, subject to the provisions of regulation 2(b) of the Tamil Nadu Electricity Board Special Pay and Allowances Regulations, an employee on leave may continue to draw a compensatory allowance or a portion thereof, in addition to leave salary, if the whole or a considerable part of the expense to meet which the allowance was given continuous during leave.

### **LEAVE ACCOUNT**

**33. (a)** Leave account shall be maintained for each employee in the form prescribed below.

**(b) (i)** The leave account of an employee in Class I and Class II Service shall be maintained by, or under the direction of the principal auditor responsible for the audit of his pay.

**(ii)** The leave account of an employee in Class III and Class IV Service shall be maintained and the entries therein attested by the head of the office in which he is employed.

**(c)** The leave account of every person who elects under regulation 2 shall-

**(i)** in regard to earned leave, be credited with the amount of privilege leave or leave on average pay or earned leave to his credit on the date on which he so elects, subject to the maxima prescribed in regulation 16 (1), as the case may be; and

**(ii)** in regard to unearned leave, be debited with the amount of leave on half average pay whether with or without medical certificate and leave not due, already taken by him before the said date, either as leave on private

affairs or as leave on medical certificate, as the case may require.

### **FORM OF LEAVE ACCOUNT**

Leave account of Thiru \_\_\_\_\_  
Date of retirement \_\_\_\_\_.

### **PART I - EARNED LEAVE**

Date of commencement of service :  
Date of contract if any :  
Place of Recruitment :

Duty			Leave Earned		
Dates		Periods (in days)	Number of duty period taken into account	Balance duty period	1/11 or 1/22 of column.4
From	To				
(1)	(2)	(3)	(4)	(5)	(6)

### **LEAVE TAKEN**

Leave at credit Columns (6)+(11)	Dates		Number of days	Balance on return from leave Col. (7)-(10)	Authority with Attestation of Head of Office
	From	To			
(7)	(8)	(9)	(10)	(11)	(12)

- (1) Columns (1) to (7) shall be filled in at the time an employee applies for and proceeds on leave and columns (8) to (11) on return from leave.
- (2) The periods of duty in terms of days, column (3) and of leave taken column (10) shall be worked out with reference to the actual number of days in each month and not on the basis of 30 days a month.

**(3) columns (6) - Leave Earned:-**

The fraction of column (3) shall be credited in this column, as shown below: -

- (a) One-eleventh in the case of permanent employees and approved probationers [ Reg.16(1) ].
- (b) One twenty-second in the case of non-permanent employees i.e. probationers and temporary employees [Reg.16(1)].
- (c) One twenty-second of the period spent on duty in the case of a non-permanent employee (i.e.) a probationer and a temporary employee of the Tamil Nadu Electricity Board.

**(4) columns (7) - Leave at credit:-**

The entry in this column on any date columns (6) plus (11) shall be limited to:-

- (i) Two hundred and forty days in the case of employees coming under clause 3(a) above.
  - (ii) Thirty days in the case of employees coming under clause 3(b) above.
- (5) In making entries in column (6), fractions shall not be rounded off, but the balance of the duty period shall be carried over and added to the subsequent duty period and the eligibility shall be calculated. In the case of retiring board employees, who are eligible for encashment of earned leave upto a maximum of two hundred and forty days the fraction of half and more shall be reckoned as one day in the calculation of earned leave and fraction below half shall be ignored.

**PART-II UN-EARNED LEAVE**

Leave on Private Affairs				Leave on Medical Certificate				Authority with Attestation of Head of Office.
Leave taken Dates				Leave taken Dates				
From	To	Period in days	Progres- sive total (days)	From	To	Period in days	Progres- sive total (days)	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

**INSTRUCTION**

The balance of leave on Private Affairs and leave on Medical Certificate available on any date shall be arrived at by deducting the progressive total in Column (4) and (8) respectively from the maximum limit prescribed in each case in regulation 17(1) and (2), 17(5)(i) and 18 of the Tamil Nadu Electricity Board Leave Regulations.

iii) The following form Part III Extra-ordinary leave without Allowance and Part-IV - Study Leave shall be added after Part II Un-Earned Leave.

**PART-III - EXTRA-ORDINARY LEAVE WITHOUT ALLOWANCES**

Dates		Period	Progressive total	Authority with attestation of Head of Office
From	To	Y M D	Y M D	

**PART - IV - STUDY LEAVE**

Date		Period	Purpose	Progressive total	Authority with attestation of Head of Office
From	To	Y M D		Y M D	
(1)	(2)	(3)	(4)	(5)	(6)

**34. PROCEDURE TO BE FOLLOWED IN MAKING APPLICATION FOR LEAVE ETC.****1 (a). Application for Leave:**

Every application for leave or for an extension of leave should be sent to the Competent Authority through the immediate superior, if any, of the employee applying for leave. In the case of employees in Class I and Class II Service, the application should also be sent through the principal auditor responsible for the audit of his pay. The application of an employee in foreign employment should also be sent through the officer who accounts for the contribution recovered from the foreign employer.

**(1) (b).** If a Board employee who is on leave and is out of India applies for extension of leave on medical grounds, such an application shall be accompanied by a Medical Certificate from two qualified Medical Practitioners in the Proforma given below. If the two qualified Medical Practitioners belong to a foreign country, the said Medical Certificate shall be attested by the Consular or other authority as bearing the signature of qualified Medical Practitioners. If concurrence of the Central Government is required in respect of the leave, the matter shall be taken up with the Department of Personnel and Training, North Block, New Delhi as they are the competent authority in this regard.

**PROFORMA****MEDICAL CERTIFICATE**

We hereby certify that we have carefully examined Thiru/Thirumathi/Selvi \_\_\_\_\_ of the \_\_\_\_\_ Tamil Nadu Electricity Board, who is suffering from \_\_\_\_\_ and we solemnly and sincerely declare that, according to the best of our judgement, he/she is at present unfit for duty and that is absolutely necessary for the recovery of his/her health that his/her present leave, which will expire on \_\_\_\_\_ shall be extended by \_\_\_\_\_ months/Weeks/days.

Signature of the Medical  
Practitioner.

(Name and Seal)

Signature of the Medical  
Practitioner.

(Name and Seal)

Date:

Place:

**II. MEDICAL CERTIFICATE****Procedure in the case of employees in Class I and Class II Service:**

(1) Before an employee can be granted leave, or an extension of leave on medical certificate, he must obtain a certificate in the following form:-

Statement of the case of

Name (to be filled in by the applicant in the presence of the Civil Surgeon or Official Medical Attendant.)

Appointment.

Age.

Total service.

Previous periods of leave of absence on medical certificate.

Habits.

Disease.

I, \_\_\_\_\_, Surgeon of / Medical Officer at or of \_\_\_\_\_, after careful personal examination of the case, hereby certify that

is in a bad state of health and I solemnly and sincerely declare that according to the best of my judgement, a period absence from duty is essentially necessary for the recovery of his health and recommend that he may be granted \_\_\_\_\_ days leave with effect from \_\_\_\_\_.

I consider that there is a reasonable prospect that the employee \_\_\_\_\_ is no \_\_\_\_\_ will be/will ever be fit to resume his duties.

Civil Surgeon or

Official Medical Attendant.

Dated the

**Note (1):** This form should be adhered to as closely as possible and should be filled in after the signature of the applicant has been taken. The certifying officer is not at liberty to certify that the applicant 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 Medical Board to decide the question of his fitness for service.

**Note (2):** If the medical officer considers that there is no reasonable prospect of an employee ever becoming fit to resume his duties, he should certify accordingly and not recommend any leave.

**Note (3):** Honorary Medical Officers not below the rank of Civil Surgeons are also competent to issue medical certificate under this regulation.

(2) The authority Competent to grant the leave may in its discretion either accept the certificate or if it has reason to suspect the bonafide of the application for leave send the employee for medical examination before a Medical Committee constituted under the orders of the Director of Medical Service, Madras. The Committee will be assembled either at the headquarters of the State or at such other place as may be required by the Board and the employee will present himself with 3 copies of the statement of his case before the Committee.

(3) The required leave or extension of leave can be granted only if the Committee furnishes a certificate to the following effect:-

"We do hereby certify that, according to the best of our professional judgement, after careful personal examination of Thiru \_\_\_\_\_, we consider that he is suffering from \_\_\_\_\_ and that his health is such as to render leave of absence for a period of \_\_\_\_\_ days with effect from \_\_\_\_\_ absolutely necessary for his recovery."

**Note:** In case where the leave recommended by the Civil Surgeon or the Official Medical Attendant or the Honorary Medical Officer not below the rank of a Civil Surgeon under Item 1 does not exceed two months, the authority competent to grant leave shall dispense with the appearance of the Board employee before the medical committee under Item 2 and the obtaining of a certificate from the Committee under this items, unless such authority doubts the bonafides of the application for the grant of leave on medical certificate.

(4) Before deciding whether the grant or refuse the certificate recommending leave, the Committee may in a doubtful case, detain



the employee under professional observation for a period not exceeding 14 days. In that case, it should grant him a Certificate To The Following Effect:-

"C.D. having been sent to us for a medical examination in connection with his application for medical leave, we consider it expedient before expressing our opinion to detain him under professional observation for \_\_\_\_\_ days."

(5) If the state of the applicant's health is certified by a Government medical officer in charge of a civil station to be such as to make it inconvenient for him to present himself at any place in which a Committee can be assembled, the authority competent to grant the leave may accept, in lieu of the certificate prescribed in item (3) above, either:-

- (a) a certificate signed by any two Government medical officers in charge of civil stations, in whatever State they may be serving; or
- (b) If the authority considers it unnecessary to require the production of two medical opinions, a certificate signed by an officer in medical charge of a civil station and countersigned by the Collector of the District.

For the purpose of this clause, the Chief Medical Officer, Lady Wellington-Leper Settlement, Tirumani, shall be deemed to be medical officer in charge of civil station in respect of leper patients under his treatment, provided that he is registered under the Madras Medical Registration Act, 1914 (Madras Act IV of 1914) and the certificate given by him is countersigned by the Director of Medical Service.

(6) The grant of a certificate under item (1), (3) or (5) does not in itself confer upon the employee concerned any right to leave. The orders of the authority competent to grant the leave should be awaited.

**Procedure in the case of employees in Class III Service:**

(7) An application by an employee in Class III Service for leave, or for extension of leave on medical certificate must be accompanied by a certificate issued by the authorised medical attendant or by the applicant's own medical attendant, who should be a registered

medical practitioner. Such certificates should distinctly state the nature of the illness, its symptoms, probable causes and duration, the period of absence from duty considered to be absolutely necessary for the restoration of the applicant's health and the date from which such absence should take effect. In cases where the employee produces a certificate from his own medical attendant, the authority competent to grant the leave may in its discretion either accept the certificate or secure a second medical opinion by sending the applicant for medical examination either to the District Medical Officer or to the nearest gazetted Government Medical Officer available. Should it decide to secure a second medical opinion, it must arrange for the medical examination to be made on the earliest possible date after the date on which the first medical opinion was given. It will be the duty of the District Medical Officer or the other Medical Officer, as the case may be, to make an independent examination of the applicant and on the basis of such examination to express an opinion both as regards the facts of the illness and as regards the amount of leave required.

**NOTE:** The possession of a certificate as prescribed in this regulation does not itself confer upon the employee concerned any right to leave.

(8) No certificate should be submitted for counter signature without the cognizance of the head of the office in which the applicant is serving.

(9) The countersigning officer may, in his discretion, require the applicant to appear before him, unless it appears from the certificate of his medical attendant that he is too ill to bear the journey. In the latter case, the officer may, after careful investigation of the case, either countersign the certificate or refuse to do so, as he thinks fit.

**Procedure in the case of employees in Class IV Service:**

(10) In support of an application for leave or for an extension of leave on medical certificate the authority competent to grant the leave may accept such certificate as it may deem sufficient.

**Recommendations of Medical Committee:**

**(10-A) (i)** Before leave is granted, the recommendations of the Medical Committee shall be compulsorily obtained in the following cases:-

- (a)** Where the unearned leave on Medical Certificate applied for by employees of any Class exceeds 60 days;
- (b)** Where extension of leave is applied for in piecemeal and the cumulative total of such leave exceeds 60 days; and
- (c)** Where an employee applies for unearned leave on Medical Certificate after orders transferring him to another post, place etc., are issued to him, irrespective of the period of leave applied for.

**(ii)** The leave sanctioning authority should also exercise the discretion to refer cases to the Medical Committee where there are repeated applications for medical leave, although each such application may be for a period less than 60 days.

**(iii)** Where an employee applies for leave on medical certificate for short period and there is no time to constitute a Medical Committee, the head of office or the leave sanctioning authority may refer him to the nearest available Government Doctor not below the rank of a Civil surgeon.

**(iv)** Whenever a reference is made to the Medical Committee or to the nearest Government Doctor, the Medical Committee or Government Doctor should specifically decide and record their opinion as to whether it is necessary for the employee to appear before them at the end of the medical leave period to get his fitness for rejoining duty, certified. In all such cases, the fitness certificate will have to be produced before the employee rejoins duty.

**(v)** The reference to the medical committee shall be made in the case of all diseases except in the case of inpatients in Government hospitals, provided they are admitted for treatment and not for diagnosis. In such cases, it is necessary that the Superintendent of the Hospital concerned issues the requisite certificate to that effect.

**(10-B)** The reference to the Medical Board shall not be necessary for granting Un-Earned Leave on Medical Certificate in the case of employees who are admitted as inpatients in Government hospital for the period of treatment and also if the period of leave recommended is co-terminus with the period of treatment. In such cases, a reference to the Medical Board is not necessary for granting Un-Earned Leave on Medical Certificate in the case of employees who are taking treatment even after discharge from the hospital, provided the treatment is continuous and the certificate regarding the treatment is issued by a Medical Officer not below the rank of a Civil Assistant Surgeon serving in that particular department in the particular hospital where the employee concerned was admitted as inpatient for treatment.

**(10-C)** Where employees are admitted as in-patients in Private Nursing Homes/Hospitals and the Un-Earned Leave on Medical Certificate applied for exceeds sixty days and stay in such institution is co-terminus with the period of treatment the employee shall be directed to be produced before the Medical Board for check-up and issue of medical certificate if the place where the Medical Board located is within a short distance from the Private Nursing Home/Hospital by using an ambulance. The hire charges therefor shall be reimbursed by the Board.

If the employee cannot be produced in person before the Medical Board, then the Medical records of the individual shall be furnished to the Medical Board, and if the genuineness of the treatment given to the Board employee by the Private Nursing Home/Hospital is acceptable to the members of the Medical Board, then Un-Earned Leave on Medical Certificate shall be granted. The grant of Medical Leave in such cases is subject to the condition that the employee shall appear before the Medical Board at the earliest opportunity as and when possible to attend the Medical Board, while recouping health. The expenditure incurred by the employee for appearing before the Medical Board shall be reimbursed by the Board.

**\$\$** Provided that the reference to the Medical Board shall not be necessary for grant of Unearned Leave on Medical Certificate in the case of a Board employee who is admitted as an inpatient in

a Private Hospital or Nursing Home, which is accredited by the Government under the New Health Insurance Scheme, for the period of treatment and also if the period of leave recommended is co-terminus with the period of treatment, subject to the following conditions, namely:-

- (a) the Board employee should produce Medical Certificate along with the case summary of treatment and a copy of the case sheet. If there appears to be any doubt as to the genuineness of the case, the leave sanctioning authority shall refer the same to an Expert Committee or Medical Board along with all connected records for second opinion;
- (b) the Board employee is admitted only for treatment and not for diagnosis. \$\$

\$\$ Added vide (Per) B.P.(FB) No.40 (SB), dated 14.10.2010.

### **DELEGATION**

In deserving cases of employees upto the level of Superintending Engineer, the Chairman is empowered to relax the provision in Clause (10-A) and sanction un-earned leave on medical certificate without reference to the Medical Board.

### **III. CERTIFICATE OF ADMISSIBILITY**

#### **Employees in Class I and Class II Service:**

(11) Leave will be sanctioned only after its admissibility has been certified by the Audit Officer who has been auditing his pay.

#### **Employees in Class III and Class IV Service:**

(12) Before leave is sanctioned, the authority competent to grant the leave should either consult the leave account and satisfy himself that the leave is admissible, or obtain a certificate to that effect from the officer entrusted with the attestation of the entries in the leave account.

When the application is for study leave or other leave specifically granted for purposes of study out of India, the authority sanctioning the leave should obtain a certificate of admissibility from the Audit Officer before sanctioning the leave.

In the case of employees deputed temporarily to the State or Central Government Departments, the authority competent to sanction the leave may get a certificate of admissibility of leave from the Audit Officer administering the leave regulations concerned when there is genuine cause for doubt.

### **Employees in foreign service:**

**(13)** In the case of an employee on foreign service, leave should not be sanctioned until the Audit Officer who is responsible for the recovery of the leave/pension/contributory Provident Fund contribution has certified the amount of leave and the leave salary admissible.

## **IV. GRANT OF LEAVE**

### **General**

### **Priority of claims to leave**

**(14)** The grant of leave at a particular time cannot be claimed as a right by an employee. In exercising their discretion under these regulations, authorities competent to grant leave shall have regard to the following considerations:

- (a)** The exigencies of the Service.
- (b)** The employees who can, for the time being, be spared.
- (c)** The amount of leave due to the various applicants.
- (d)** The amount and character of the service rendered by each applicant since he last returned from leave.
- (e)** The fact that any such applicant was compulsorily recalled from his last leave.
- (f)** The fact that any such applicant has been refused leave in the interests of the Board.

**Grant of leave to an employee who is unlikely to be fit to return to duty.**

(15) When a medical committee has reported that there is no reasonable prospect that a particular employee will ever be fit to return to duty, leave should not necessarily be refused to such employee. It may, if due, be granted on the following conditions by the Board in the case of employees in Class I and II Service and by the Chairman of the Board or Chief Engineer, as the case may be, in the case of other employees:

(a) If the medical committee is unable to say with certainty that the employee will never be fit for service again, leave not exceeding twelve months in all may be granted. Such leave should not be extended without a further reference to a medical committee.

(b) If the medical committee declares the employee to be completely and permanently incapacitated for further service, the employee should, except as provided in clause(c) below, be invalided from the service, either on the expiration of the leave already granted to him, if he is on leave when examined by the committee, or if he is not on leave, from the date of the committee's report.

(c) An employee declared by a committee to be completely and permanently incapacitated may, in special cases, be granted leave or an extension of leave, not exceeding six months as debited against the leave account, if such leave be due to him. Special circumstances justifying such treatment may be held to exist when the employees' breakdown in health has been caused in and by Board's Service/or when the employee has taken a comparatively small amount of leave during his service or will complete at an early date an additional year's service for pension.

**Grant of leave to an employee who ought to be dismissed**

(16) Leave should not be granted to an employee who ought at once to be dismissed or removed or compulsorily retired from service for misconduct or general incapacity.

**V. PAYMENT OF LEAVE SALARY.****Leave in India**

(17) Leave salary is payable in India after the end of each calendar month.

**Employees in Class I and Class II Service:**

(18) An employee in Class I or Class II Service on leave in India may draw his leave salary in India; but he cannot begin to draw it without producing a leave salary certificate from the Audit Officer who audited his pay before he proceeded on leave. If during leave, he desires to change the place at which he receives the payment of his leave salary, he should obtain a new certificate from the Audit Officer.

**Note:** An officiating employee in Class I or Class II Service who holds an active or suspended lien on a post in Class III or Class IV Service will retain his status as an employee in Class I or Class II Service for all purposes during the period of leave taken by him including extensions, if any, but before resuming duty as an employee in Class III or Class IV Service. The authority sanctioning the leave should in such cases intimate the fact to the head of the office where the employee is permanently borne, sufficiently in advance to enable the latter to make necessary consequential arrangements.

(19) If an employee in Class I or Class II Service signs his bill himself, he must either appear in person at the place of payment or furnish a life certificate signed by a responsible officer of Government or of the Electricity Board or some other well-known and trust worthy person. If he draws his leave salary through an authorised agent, the agent, whether he has or has not the power of attorney, must either furnish a life certificate as aforesaid, or execute a bond to refund over-payments. A life certificate may be given periodically, a bond being given to cover intermediate payment not supported by the life certificate.



**(20) Employees in Classes III and IV Services:**

The leave salary of an employee in Class III or Class IV service on leave cannot be drawn, except over the signature of the head of his office; and the latter is responsible for any overcharge.

The leave salary of an employee holding a permanent post in one office and officiating in a post in another office may be drawn at the office from which he proceeded on leave, if he would have continued in that office but for his leave and is expected to return to it on its expiry. No Last Pay Certificate should be issued in such cases but the fact of the employee having gone on leave should, however, be intimated to the head of the first office so that he can show the necessary arrangements in the absentee statements of his office. The bills in which leave salary is drawn should also indicate the permanent post on which the absentee holds a lien to facilitate correct classification of leave-salary.

**Leave salary during leave preparatory to retirement:**

**(20-A)** An employee in Class I or Class II Service on leave preparatory to retirement or on refused leave under regulation 29 or such other leave on the expiry of which he is not expected to return to duty should record a certificate on the leave salary bill that during the period for which leave salary is drawn, he was not re-employed under the Board, Government, local fund or a private employer.

In the case of employees in Class III or Class IV Service, similar certificate should be recorded by the drawing officers on the bills in which the leave salary is drawn after obtaining declarations regarding non-employment from them.

**VI. Return from leave**

**(21)** An employee in Class I or II Service, on return from leave, must report his return to the Board.

**(22)** An employee 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. He must report his return to duty and await orders. He must, if necessary, also

submit to such delay as may be required in the interest of the Board's service.

**Note:** Controlling Officers should provide for the expected return of employees from leave by seeing that the employees to be relieved are at headquarters in due time to give over charge.

(23) Before returning to duty an employee in Class I or Class II Service who has drawn his leave salary should obtain a last pay certificate from the Audit Officer within whose jurisdiction his leave salary was last paid, and deliver it to the Audit Officer, who audits his pay. Without such a certificate, he cannot obtain payment of any arrears of leave salary or pay due to him.

When an employee is appointed to officiate in a post in Class I or II Service, the Audit Officer shall call for his leave account and maintain it. During leave, such an employee shall be deemed to hold the status of Class I or II employees for purposes of drawal of leave salary, grant of extension of leave, issue of notifications, etc. irrespective of the fact whether on the expiry of his leave he would return to his post in Class I or II Service or not. The Audit Officer will intimate the rate of leave-salary admissible to the officer direct, and the officer will draw his pay accordingly. Any extension of leave will also be certified by the Audit Officer.

In the case of an employee who is granted leave under item (15) (a), the leave should initially be treated as leave preparatory to retirement. But, if he returns to duty subsequently, the leave should be treated as leave on medical certificate. Necessary adjustments in leave accounts should be made and arrears of leave salary, if any, should also be paid.

The discretion allowed by item (15) (c) may be exercised in the case of employees who are sent before a competent medical authority either for grant of leave or for report as to their fitness for further service and the latter certified them to be completely and permanently incapacitated for further service.

Items (1) - (6) regulating the grant of leave on medical certificate to employees in Class I or II Service should be applied also to employees who are holding posts in Class I or II Service in an officiating capacity prior to their going on leave.

## **MAINTENANCE OF RECORDS OF SERVICE**

### **1. Omitted**

### **2. Duty of the head of the office:-**

A service book in such form as may be prescribed by the Board from time to time should be opened for every employee at his own cost, as soon as he is regarded as selected for admission to Board's service and as on probation for that service. It should be kept in the custody of the head of the office in which he may be serving and transferred with him from office to office. It is the duty of the head of the office to see that all entries are duly made and attested.

**Note:** Such service books should also be opened in respect of persons who are appointed on a purely temporary basis under the emergency provisions and are likely to be retained in service for over one year.

**3.** It is the duty of every employee to see that his service book is properly maintained and that all erasures in it are attested. The head of the office will allow an employee to examine his service book, should he at any time desire to do so.

**4. Certificates of character not to be entered:** Personal certificates of character should not be entered in a service book.

### **5. Kind of punishment:**

When the probation of an employee is terminated or when an employee is reduced to a lower post, dismissed or removed or compulsorily retired from service or suspended from employment, the reason for the termination of the probation, reduction, dismissal, removal, compulsory retirement or suspension, as the case may be, should always be briefly stated thus:

'probation terminated on the ground of unfitness', 'Reduced for inefficiency', etc. The head of the office make efficient arrangements for these entries, being made with regularity. The duty should not be left to the employee in Class III or IV Service concerned.

Copies of all orders regarding reduction, dismissal, removal, compulsory retirement or suspension should be filed with the service book.

**6. Maintenance of service books:** In the service book, every step in an employee's official life, including temporary and officiating promotions of all kinds, the date on which the period of probation is satisfactorily completed, increments and transfers and leave of absence taken, should be regularly and concurrently recorded, each entry being duly verified with reference to office orders, pay bills and leave statements and attested by the head of the office. If the head of the office has an Assistant belonging to Class I or II Service, he may delegate the duty of attesting the entries to such an assistant. If the employee is himself the head of an office, the attestation should be made by his immediate superior. Any departmental test/special test examination passed by the Board employee shall be entered in the service book based on the Tamil Nadu Public Service Commission Bulletin in which the register numbers of the successful candidates in that test were published in the first instance, after verifying with the Hall Ticket showing the name of the person together with Register number, based on the written applications given by the employees concerned. The resultant benefits like promotion, completion of probation, drawal of increments etc., may be allowed on the basis of such verification, subject to the condition that the employees concerned give an undertaking in writing to the effect that in the event of their names being not found in the Tamil Nadu Public Service Commission Bulletin published subsequently containing the names of successful candidates in that Test, they will forgo the benefits availed of by them and refund the amounts of additional benefits accrued to them. In cases where the benefits like promotion, completion of probation, drawal of increments etc., are allowed after verification of the Hall Tickets as above, a suitable entry shall be made in the Service Register of the employees concerned to the effect that such benefits have been allowed on the basis of such verification and that it is subject to subsequent confirmation by verification of the Official Bulletin containing the names of successful candidates. An entry regarding such subsequent verification of the official Bulletin shall also be made in the Service Register. Officiating and temporary service and leave taken prior to first substantive appointment to a permanent post should also be recorded in the service book and duly attested after

verification. In the case of Assistants, Junior Assistants, Typists, Store-Keepers, etc., selected by the Board, the date of birth should be verified with reference to the entries in the applications for appointment as accepted by the Board. In the case of an employee the year of whose birth is known but not the date, the 1<sup>st</sup> July should be treated as the date of birth. When both the year and the month of birth are known, but not the exact date, the 16th of month should be treated as the date of birth.

In addition to the above, entries should be made in the service book regarding the drawal of long term advances, admission to Provident Fund Account, nominations exercised for Provident Fund and Death-cum-Retirement Gratuity, options exercised by the employees to come over to revised scales of pay, etc., admission of pension, family pension and death-cum-retirement gratuity, permission granted to acquire/dispose of movable and immovable properties, grant of additional charge allowance.

**Note (1):** The date of birth entered in the Service book can be altered, except in the case of a clerical error, only under the orders of the Board in accordance with the provisions in Regulation 110(b) of the Service Regulations.

**Note (2):** Applications for rectification of incorrect entries relating to community in service records shall be made to the immediate superior officer enclosing records in support of the request. The immediate superior officer shall forward the application and the connected records to the Secretary to the Board in the case of employees in the Board Office Secretariat Branch and Board Office Audit Branch and to the Chief Engineer/Personnel in the case of employees in his office and other offices under his control through the proper channel. The Secretary to the Board/Chief Engineer (Personnel) shall arrange for a personal enquiry into the facts of the case by an employee of the Board not lower in rank than that of an Assistant Executive Engineer. On receipt of the records of enquiry, the Secretary to the Board/Chief Engineer (Personnel) shall pass such orders as he deems fit having regard to the merits of each case. His decision thereon shall be final. Alteration relating to community in the service records shall invariably refer to the orders of

the Secretary to the Board/Chief Engineer(Personnel), in which the alteration was ordered and be attested by an employee in Class I or II service or the Head of the office concerned.

**Note(3):** The native place of a Board employee shall be entered in the service book with reference to the place of domicile in Tamil Nadu certified by the Board employee concerned at the time of his entry into Board Service. Such entry shall not be altered later by the Board employee.

**7. Transfer to another office:** When an employee in Class III or IV Services is transferred, whether permanently or temporarily, from one office to another, the necessary entry of the nature and reason of the transfer should be made in his service book in the office from which the employee is transferred, and the book after being duly verified to date and attested by the head of that office, should be transmitted to the head of the office to which the employee has been transferred, who will thence forth have the book maintained in his office. If he finds any error or omission in the book on receipt, he should return it to the forwarding officer for the purpose of having the error rectified or the omission supplied before the book is taken over by him. The service book should not be made over to the employee who has been transferred.

**8. Transfer to foreign service:** If an employee is transferred to foreign service, the head of the office or chief Engineer (Personnel) should send his service book to the Audit Officer who will return it after noting therein, under his signature, the orders sanctioning the transfer and other necessary particulars in connection with the transfer. On the employee's proceeding on leave from foreign service or on his re-transfer to service under the Board, his service book should again be sent to the Audit Officer for recording all necessary particulars connected with the leave or re-transfer to service under the Board including the fact of recovery of leave and pension or provident fund contributions.

**9. Omitted.**

**10.** Where the date of birth of an employee in class IV Service cannot be correctly ascertained, the age as estimated by the medical officer when granting certificate of physical fitness to the employee should be entered in the service book.

**11. Annual Verification:** The Service books in each office should be taken up for verification in January of every year by the head of the office who, after satisfying himself that the service of the employee concerned are correctly recorded in his service book in conformity with the above instructions, should record therein a certificate in the following words over his signature:- "Services verified upto (date) from (pay bills, acquittance rolls and similar records to be specified by reference to which the verification was made)". The head of the office in recording the annual certificate of verification should, in the case of any portion of service that cannot be verified from office records, distinctly state that, for the excepted periods (naming them), a statement in writing by the employee as well as a record of the evidence of his contemporary employees is attached to the book. Heads of offices may delegate the duties imposed upon them to their assistants in Class I or II service, if any. They should, however, inspect at least 10 percent of the service books and initial them in token of having done so, unless the Board specially fixes a lower percentage in any case. Heads of offices should furnish a certificate regarding the completion of the annual verification of services in respect of all Board employees working under them and those on Foreign Service to the next superior officer by the 31<sup>st</sup> July every year covering the preceding financial year. It shall also be the duty of every head of office to initiate action to show the service books to the Board employees under his administrative control every year and to obtain their signature therein in token of their having verified their service books. A certificate to the effect that he has done so in respect of the preceding financial year, should be submitted by him to his next superior officer by the end of every September. In the case of Board employee on Foreign Service his signature shall be obtained after the Audit Office has made necessary entries connected with his Foreign Service.

**Note:** The verification of service referred to above should be in respect of all service whether permanent, provisional, temporary or officiating.

**12. Periodical inspection:** It is the duty of officers inspecting subordinate offices to inspect the service books maintained there. They should see that they are maintained upto date, that entries are properly made and attested, that verification has been properly carried out and the necessary statement and evidence secured and

verification certificates have been properly recorded by the head of the Offices.

When an employee's service is terminated by dismissal, his service book should be retained for a period of five years or until the employee's decease, whichever is earlier, after which it will be destroyed. A similar procedure should be followed in the case of an employee whose probation is terminated. The head of the office in which he was last employed should retain the service book in such cases.

When an employee's service is terminated by resignation or discharge without fault, his service books should be retained for a period of five years from the date of his resignation or discharge. In the event of his death within the period of five years, the service book should be retained for a period of six months only from the date of his death.

The service book of an employee who has been dismissed and who is afterwards reinstated should, on requisition, be returned to the head of the office in which he is re-employed.

A similar course should be adopted when an employee has been discharged without fault or resigns and is subsequently re-employed.

**13. Verification of entries made in service books:** The verification of entries made by an Assistant/Junior Assistant in service books may be entrusted to his immediate departmental superior if the head of the office sees fit, but the responsibility as to their accuracy will rest with the latter officer who has to attest them.

**35.** In respect of matters in these regulations for which there is provision also in the Standing Orders for the employees of the Board framed under the Industrial Employment (Standing Orders) Act, 1946, the provisions in the Standing Orders shall prevail in regard to the employees governed by the Standing Orders.



**APPENDIX - I****(Referred to in Regulation 2)**

Categories of posts in Division IX(b) of Class III Service and Division II(b) of Class IV Service (as on 10.06.67) to the holders of which leave regulations do not apply, they are getting leave under the Factories Act.

Category of post		No. of posts	Scale of Pay * (Rs)
<b>(A) Basin Bridge Power House</b>			
1	Foreman, I Grade	4	180-10-300
2	Foreman, II Grade	3	160-71 / 2-190-10-240
3	Foreman, III Grade	4	135-5-175
4	Foreman, IV Grade	3	115-5-150
5	Maistry, II Grade	6	105-4-145
6	Maistry, III Grade	4	98-3-128
7	Time Keeper, I Grade	1	98-3-128
8	Tyndal	3	85-3-118
9	Mixer Driver	1	98-3-128
10	Electrician, I Grade	1	93-3-128
11	Welder, I Grade	1	105-4-145
12	Welder II Grade	1	85-3-118
13	Mechanic, II Grade	1	105-4-145
14	Mason, I Grade	1	85-3-118
15	Lascar, I Grade	3	64-2-80
<b>(B) Repair Shop, Emerald / Parsons Valley</b>			
16	Shop Assistant	1	105-4-145
17	Tool Keeper, I Grade	1	98-3-128
18	Foreman, III Grade	1	135-5-175
19	Foreman, IV Grade	1	115-5-150
20	Fitter, II Grade	2	98-3-128
21	Carpenter, I Grade	1	98-3-128
<b>(C) Kundah Hydro Electronic Scheme – Repair Shop and Auto-servicing Station</b>			
22	Foreman, IV Grade	1	115-5-150
23	Mechanic, I Grade	2	115-5-150
24	Mechanic, II Grade	1	105-4-145
25	Shop Assistant	1	105-4-145
26	Time Keeper, I Grade	1	98-3-128
27	Time Keeper, II Grade	1	85-3-118
28	Lorry Driver, I Grade	3	105-4-145
29	Lorry Driver, II Grade	7	98-3-128
30	Crane Driver-cum-Electrician	2	105-4-145
31	Lascar, I Grade	1	64-2-80
32	Watchman	3	55-11/2-70

\*1963 scale of pay

**APPENDIX-II**

(Referred to in Regulation 25)

**FORM-A****BOND FOR PERMANENT BOARD EMPLOYEES PROCEEDING  
ON STUDY LEAVE UNDER THE STUDY LEAVE RULES**

Know all men by these presents that I, \_\_\_\_\_,  
 S/o \_\_\_\_\_, residing at \_\_\_\_\_  
 in the District of \_\_\_\_\_, at present employed as  
 \_\_\_\_\_ in the office of \_\_\_\_\_,  
 do hereby bind myself and my heirs, executors, administrators, legal  
 representatives, successors and assigns to pay to the Tamil Nadu  
 Electricity Board (hereinafter called "The Board" which expression  
 shall where the context so admits includes its successors-in-office  
 and assigns) on demand the sum of Rs \_\_\_\_\_  
 (Rupees \_\_\_\_\_) together with interest  
 thereon from the date of demand at the rates for the time being in  
 force on Board 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 chargeable as between  
 attorney and client and all charges and expenses that shall or may  
 have been incurred by the Board.

Signed this \_\_\_\_\_ day of \_\_\_\_\_  
 two thousand and \_\_\_\_\_.

In the presence of \_\_\_\_\_

Witnesses:- (1)  
 (2)

Whereas I \_\_\_\_\_ am granted study leave by the Board.

And whereas under the terms of grant of study leave I have to execute this bond with such condition as hereunder.

Now the condition of the above written obligation is that in the event of my resigning or retiring from service without returning to duty after the expiry of termination of the period of study leave or at any time after my return to duty, I shall forthwith pay to the Board or as may be directed by the Board on demand the said sum of Rs\_\_\_\_\_ (Rupees\_\_\_\_\_) together with interest thereon from the date of demand at the rates for the time being in force on Board loans.

And upon my making such payment the above written obligation shall be void and be of no effect; otherwise it shall remain in full force and virtue.

The Board has agreed to bear the stamp duty payable on this bond.

In the presence of

Witnesses:- (1)

(2)

ACCEPTED BY

Acting for and on behalf of and by the order and direction of the Tamil Nadu Electricity Board

In the presence of

Witnesses:- (1)

(2)

**FORM - A1****BOND FOR PERMANENT BOARD EMPLOYEES GRANTED  
EXTENSION OF STUDY LEAVE**

Know all men by these presents that I, \_\_\_\_\_,  
 son of \_\_\_\_\_ residing at \_\_\_\_\_ in the  
 District of \_\_\_\_\_ at present employed as \_\_\_\_\_  
 in the office of \_\_\_\_\_, do hereby bind myself and my  
 heirs executors, administrators, legal representatives, successors  
 and assigns to pay to the Tamil Nadu Electricity Board (hereinafter  
 called "the Board" which expression shall, where the context so  
 admits, includes its successor in office and assigns) on demand  
 the sum of Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_)  
 together with interest thereon from the date of demand at rates for  
 the time being in force on Board 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  
 chargeable as between attorney and client and all charges and  
 expenses that shall or may have been incurred by the Board.

Signed this \_\_\_\_\_ day of \_\_\_\_\_

Two thousand and \_\_\_\_\_.

Signature

In the presence of

**Witnesses:-** (1)

(2)

Whereas I \_\_\_\_\_ was granted study  
 leave by the Board for the period from \_\_\_\_\_ to \_\_\_\_\_  
 in consideration of which I executed a bond, dated \_\_\_\_\_

for Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_)  
in favour of the Board.

And whereas the extension of study leave has been granted to me at my request until —

And whereas under the terms of the grant of extension of study leave I have to execute this bond with such condition as hereunder.

Now the condition of the above written obligation is that in the event of my resigning or retiring from service without returning to duty after the expiry or termination of the period of study leave so extended or at any time after my return to duty, I shall forthwith pay to the Board or as may be directed by the Board on demand the said sum of Rs \_\_\_\_\_ (Rupees \_\_\_\_\_) together with interest thereon from the date of demand at rates for the time being in force on Board loans.

And upon my making such payment the above written obligation shall be void and be of no effect; otherwise it shall remain in full force and virtue.

The Board has agreed to bear the stamp duty payable on this bond.

In the presence of

Witnesses:- (1)  
(2)

ACCEPTED BY

for and on behalf of and by the order and direction of the  
Tamil Nadu Electricity Board

In the presence of

Witnesses:- (1)  
(2)

**FORM -B****BOND FOR NON-PERMANENT BOARD EMPLOYEES  
PROCEEDING ON STUDY LEAVE UNDER THE STUDY LEAVE  
RULES.**

KNOW ALL MEN BY THESE PRESENTS THAT WE,  
 \_\_\_\_\_, Son of \_\_\_\_\_  
 residing at \_\_\_\_\_ in the District of  
 \_\_\_\_\_, at present employed as \_\_\_\_\_ in  
 the office of the \_\_\_\_\_ (hereinafter called "the  
 obligor") and Thiru \_\_\_\_\_, son of \_\_\_\_\_  
 employed as \_\_\_\_\_ in the Office  
 of \_\_\_\_\_ and Thiru \_\_\_\_\_,  
 son of \_\_\_\_\_ employed as \_\_\_\_\_  
 in the Office of \_\_\_\_\_  
 (hereinafter called the sureties) do hereby jointly and severally bind  
 ourselves and our respective heirs, executors, administrators, legal  
 representatives, successors and assigns to pay to the Tamil Nadu  
 Electricity Board (hereinafter called "the Board" which expression  
 shall, where the context so admits, include its successors in office  
 and assigns), on demand the sum of Rs \_\_\_\_\_  
 (Rupees \_\_\_\_\_) together with interest  
 thereon from the date of demand at rates for the time being, in force  
 on Board 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 chargeable as between attorney

and client and all charges and expenses that shall or may have been incurred by the Board.

Signed and dated this \_\_\_\_\_, day of \_\_\_\_\_ Two thousand and \_\_\_\_\_.

**Signature of the Obligor**

**Sureties: (1)**

In the presence of

**Witnesses:- (1) (2)**

**(2)**

WHEREAS the obligor is granted study leave by the Board.

AND WHEREAS under the terms of the grant of study leave, the obligor has to execute this bond with such condition as hereunder.

AND WHEREAS the said sureties have agreed to execute this bond as sureties on behalf of the above bounded.

Now the condition of the above written obligation is THAT in the event of the obligor Thiru \_\_\_\_\_ resigning from service without returning to duty after the expiry of termination of the period of study leave or at any time after his return to duty the obligor and the sureties shall forthwith pay to the Board or as may be directed by the Board on demand the said sum of Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_) together with interest thereon from the date of demand at rates for the time being in force on Board loans.

And upon the obligor Thiru \_\_\_\_\_ and/or \_\_\_\_\_  
Thiru \_\_\_\_\_ and/or Thiru \_\_\_\_\_ the sureties aforesaid  
making such payment the above written obligation shall be void and  
be of no effect; otherwise it shall 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 Board  
or any person authorised by it (whether with or without the  
consent or knowledge of the sureties) nor shall it be necessary for  
the Board to sue the obligor before suing the sureties Thiru \_\_\_\_\_  
and Thiru \_\_\_\_\_ or any of them for the amount due therein.

The Board has agreed to bear the stamp duty payable on  
this bond.

Signed by the obligor

Signed by the Surety

Signed by the Surety

In the Presence of

Witnesses:- (1)

(2)

ACCEPTED BY

for and on behalf of and by the order and direction of the  
Tamil Nadu Electricity Board.

In the presence of

Witnesses:- (1)

(2)



**FORM - B-1****BOND FOR NON-PERMANENT BOARD EMPLOYEES GRANTED  
EXTENSION OF STUDY LEAVE**

Know all men by these presents that we \_\_\_\_\_,  
son of \_\_\_\_\_, residing at \_\_\_\_\_  
\_\_\_\_\_ in the District of \_\_\_\_\_ at  
present employed as \_\_\_\_\_ in the  
Office of \_\_\_\_\_ (hereinafter called "the  
obligor") and Thiru \_\_\_\_\_ son  
of \_\_\_\_\_ employed as \_\_\_\_\_  
in the office of \_\_\_\_\_ and Thiru \_\_\_\_\_  
son of \_\_\_\_\_ employed as  
\_\_\_\_\_ in the office of \_\_\_\_\_  
\_\_\_\_\_ (hereinafter called the sureties) do  
hereby jointly and severally bind ourselves and our respective heirs,  
executors, administrators, legal representatives successors and  
assigns to pay to the Tamil Nadu Electricity Board (hereinafter called  
"the Board" which expression shall, where the context so admits,  
include its successor in office and assigns) on demand the  
sum of Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_  
\_\_\_\_\_) together with interest thereon from  
the date of demand at rates for the time being in force on Board  
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 ail costs chargeable as between

attorney and client and all charges and expenses that shall or may, have been incurred by the Board.

Signed this deed \_\_\_\_\_ on the day of Two thousand and \_\_\_\_\_

Signature of the obligor:

In the presence of

Witnesses:- (1)

(2)

Signature of the sureties:

In the presence of

Witnesses:- (1)

(2)

WHEREAS the obligor was granted study leave by the Board, for the period from \_\_\_\_\_ to \_\_\_\_\_ in consideration of which he executed bond, dated \_\_\_\_\_ for Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_) in favour of the Board.

AND WHEREAS the extension of study leave has been granted to the obligor at his request until —

AND WHEREAS under the terms of the grant of extension of study leave, the obligor has to execute this bond with such condition as hereunder;

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 Thiru\_\_\_\_\_ resigning from service without returning to duty after the expiry or termination of the period of study leave so extended or at any time after his return to duty the obligor and the sureties shall forthwith pay to the Board or as may be directed by the Board on demand the said sum of Rs\_\_\_\_\_ (Rupees\_\_\_\_\_) together with interest thereon from the date of demand at rates for the time being in force on Board loan.

And upon the obligor Thiru \_\_\_\_\_ and, or Thiru \_\_\_\_\_ and, or Thiru \_\_\_\_\_ the sureties aforesaid making such payment the above written obligation shall be void and of no effect; otherwise it shall 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 Board or any person authorised by it (whether with or without the consent or knowledge of the sureties) nor shall it be necessary for the board to sue the obligor before suing the sureties Thiru\_\_\_\_\_ and Thiru \_\_\_\_\_ or any of them for amounts due hereunder.