

No.79-645/2020-PW

अण्डमान तथा निकोबार प्रशासन

ANDAMAN AND NICOBAR ADMINISTRATION

सचिवालय/SECRETARIAT.

Port Blair, dated the 19th May, 2021

C I R C U L A R

Instances have come to the knowledge of the Competent Authority that there is tendency among the some Government servants of staying away from duty without prior sanction of leave or overstaying the periods of sanctioned leave on frivolous grounds in deviation of the rule provisions, under the CCS (Leave) Rules.

It is reiterated that such absence is unauthorised and warrants prompt and stringent action as per rules. It has also been observed that concerned authorities do not follow the prescribed procedure in dealing with such unauthorised absence.

In view of this, attention of all Departments is invited to the various provisions of the relevant rules, as indicated in the following paragraphs for strict adherence in situations of unauthorised absence of Government servants or overstaying beyond sanctioned leave. It is also suggested that these provisions may be brought to the notice of all the employees so as to highlight the consequences which may visit if a Government servant is on unauthorised absence or overstaying of the sanctioned leave.

The relevant provisions which may be kept in mind while considering such cases are indicated as follows:-

- (a) **Proviso to FR 17(1):** The said provision stipulates that an officer who is absent from duty without any authority shall not be entitled to any pay and allowances during the period of such absence.
- (b) **FR 17-A** The said provision inter alia provides that where an individual employee remains absent unauthorisedly or deserts the post, the period of such absence shall be deemed to cause an interruption or break in service of the employee, unless otherwise decided by the competent authority for the purpose of leave travel concession and eligibility for appearing in departmental examinations, for which a minimum period of service is required.
- (c) **Rule 25 of the CCS Leave Rules 1972** The said provision addresses the situation where an employee overstays beyond the sanctioned leave of the kind due and admissible, and the competent authority has not approved such extension. The consequences that flow from such refusal of extension of leave include that:
- (i) *the Government servant shall not be entitled to any leave salary for such absence.*

- (ii) the period shall be debited against his leave account as though it were half pay leave to the extent such leave is due, the period in excess of such leave due being treated as extraordinary leave.
- (iii) wilful absence from duty after the expiry of leave renders a Government servant liable to disciplinary action.

With respect to (iii) above, it may be stated that all Departments are requested to ensure that in all cases of unauthorised absence by a Government servant, he should be informed of the consequences of such absence and be directed to re-join duty immediately/ within a specified period, say within three days, failing which he would be liable for disciplinary action under CCS (CCA) Rules, 1965.

It may be stressed that a Government servant who remains absent without any authority or overstays beyond the sanctioned leave should be proceeded against immediately and the disciplinary case should be conducted and concluded as quickly as possible.

The Department should initiate appropriate action against delinquent Government servants as per rules.

This has the approval of the Competent Authority.

Yours faithfully

Purnima Govind

(Purnima Govind)

Assistant Secretary (Perl)

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1. The Senior PS to Chief Secretary for kind information of CS.
2. PS to Secretary to LG for kind information HLG.
3. All Pr. Secretaries/ Commr-cum-Secretaries/ Secretaries/ Joint Secretaries.
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Purnima Govind

Assistant Secretary (Perl)