

Copy of Punjab Government Circular letter No. 4376-GII 59/27671, dated 28th May, 1959, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments, etc., etc.

**Subject :- Revised system of Earned Leave, Holidays Working Hours**

## I. INTRODUCTION

1. The Need for revision. The question of rationalising the system of holidays and working hours at present observed by the Punjab Government and also of the leave enjoyed by Punjab Government servants has been examined at some length. The present system is defective in many ways. The incidence of holidays is eccentric and often disturbs the continuity of work. Possibly because of their eccentric incidence holidays are in fact not always allowed to be treated as such, and miscellaneous work is often required to be done on these days. A system in which neither work nor leisure is undisturbed obviously needs reform so that both are more effective. Leave rules are not realistic in that although leave, both privilege and casual is admissible to Government servants at a liberal scale, it is seldom possible to take it in full in actual practice. Government are, therefore, of the view that a reform in the present organisation of work and leisure is necessary so that work is done and leisure enjoyed on a more rational basis. Government are convinced that with a better and more effective organisation of leisure it will be possible for Government servants to work longer and harder, particularly in the cooler months. Harder work from the Government servants is required in the context of the country's present economic struggle and should be well within their capacity if they are given adequate and systematic rest and leisure.

2. *Aims of Revised System.* Government have, therefore, decided to increase working hours during the cooler months so that more work is done, to re-organise holidays so that adequate rest is given and the continuity of work is not disturbed, and to rationalise leave rules so that an official without being entitled to inordinately long periods of absence can, and in fact generally does, take the leave due to him. The object is to introduce a system which combines hard work with real leisure.

## II. DATE OF COMMENCEMENT

The revised system will come into force on the 1st July, 1959.

## III. WORKING HOURS

3. (1) *Hours of work will be—*

(a) September 1st to April 30th 9.00 a.m. to 5.30 p.m. with half an hour's break for food.

(b) May 1st to August 31st 7.00 a.m. to 1.30 p.m.

(2) *exceptions—*

(a) The High Court have decided that subject to the provision for hill stations at (b) below, District Courts and Subordinate Courts shall observe these hours also except that these Courts shall work in the cooler months from 9.30 a.m. to 4.00 p.m. Offices attached to Courts will however, work from 9.00 a.m. to 5.30 p.m. The decision regarding Courts is experimental for one year to begin with.

(b) In the hill stations of Simla, Kasauli, Kandaghat, Dharamsala, Dalhousie, Dagshai, Kulu Sub-Division and Palampur hours of work will be—

March 1st to October 31st .. as at (1) (a) above.

November 1st to the end of February .. 9.30 a.m. to 4.00 p.m.

Offices attached to Courts will work as above and District and Subordinate Courts from 9.30 a.m. to 4.00 p.m. throughout the year.

## IV. HOLIDAYS

4. (1) *General Holiday will be as follows :*

**All Sundays.**

Independence Day (August 15th).

Mahatma Gandhi's Birthday (October 2nd).

A midsummer break of three days Thursday to Saturday (inclusive) nearest to June 21st (to be fixed each year by Government—for example for 1960, this will be June 23rd to 25th inclusive)

(2) *Optional Holidays*.—Six in the year.

As Government will not now be allowing any holidays on festive and religious occasions, and as Government is nevertheless anxious that each employee should get the fullest opportunity of celebrating and observing such occasions as are important to him a Government servant will be able to take at his option, six holidays in a year. He may, if he so chooses, take two half days off work instead of an entire day. No particular days for this purpose will be prescribed and he will be able to take off any six days he likes. He should normally not be refused permission to take these days nor questioned about his choice unless there are circumstances of urgency or crisis which require some adjustment. For each Government servant an account of such holidays similar to his casual leave account will be maintained.

In the half year, July 1 to December 31, 1959, four such optional holidays will be permitted.

5. *Courts*.—The High Court has decided that as an experimental measure for an year to begin with, these holidays will also be observed by Courts and optional holidays will likewise be given to the officials working in the Courts and Offices attached to them.

6. *Notifying Holidays*.—(1) The notification issued by Government declaring the holidays to be observed by Government for the second half to 1959, is at Enclosure I. A notification for Courts is being issued by the High Court containing an identical list of holidays.

(2) This list of holidays does not affect the list of holidays which are observed by banking and commercial institutions and which are notified under the Negotiable Instruments Act.

## V. EARNED LEAVE

7. (1) *Scale*. Earned leave will be admissible as follows :

To employees with ten year service or less	1/24th of the period spent on duty.
To employees with above ten and up to twenty years service.	1/18th of the period spent on duty.
To employees with over twenty years service.	1/12th of the period spent on duty.

(2) *Assessing length of service*.—For purposes of deciding the leave due to any employee, under the above slab system, length of service shall be determined as follows :

(a) Generally length of service will be counted from the date of appointment of the employee in continuous service; but

(b) where an employee has been retrenched from a previous job in the Punjab Government, and then again appointed continuously his period of service in the previous job shall be considered in determining the slab of leave to which he is entitled. for example, X has worked for 3 years as an assistant in the Rehabilitation Department, been retrenched, and after a gap of two years, been appointed continuously for seven years in the Excise Department. He will be considered to have 10 years service for purposes of calculating the leave due to him.

(c) In the case of women if an employee resigned a previous job on grounds of having to look after her children, and is then appointed again, any service rendered before resignation shall be included in determining her "length of Service".

(3) *Contingent paid and allied Employees*.—No leave will be admissible to temporary establishments from contingencies or Contingent bills. Such establishments may as hitherto be allowed

8. Accumulation of earned leave will be permitted to any extent but the leave actually given at a time will be subject to the following limits :

- (i) India .. 120 days
- (ii) Abroad .. 240 days
- (iii) Where an official goes on leave preparatory to retirement, whether in India or abroad, .. 180 days

Provided that the limit of refused leave preparatory to retirement allowed to an employee by way of extension in service shall be limited to .. 120 days

- (iv) If an official goes on a course of studies or research or work which in the view of the Government in the Administrative Department in consultation with Finance Department, increases his competence, knowledge or efficiency or adds to technical knowledge.

9. *Notification.*—A copy of the notification No. 3691 FR11-59/5176 dated Chandigarh the 26th May 1959 amending rules 8.21, 8.116, 8.117 (b) 8.117 (c) 8.134 8.13 8.69, 8.73 is at Enclosure 2 [These are the main rules affected. Some minor amendments in some other rules of comparatively rare applicability e.g. rules 8.92, 8.97, 8.129 etc.) will also be necessary and will be notified in due course.

10. *Other Leave.*—The existing rules regulating other kinds of leave i.e.— leave on half average pay [rule 8.73 Punjab C.S.R. Vol. I, Part I, leave on half average pay (rule 8.119) leave on medical grounds Special Disability Leave rules 8.82 and 8.124) Study Leave (rule 8.85 and 8.126) read with appendix 20 of Punjab C.S.R [Vol. I. Part II] and Maternity and Hospital leave (rules 8.127 and 8.128) will stand as they are and no change in them is contemplated.

11. *Leave accumulated prior to New System.*—As the revised system will be brought into force from the 1st July 1959 the leave accumulated up to the 30th June 1959 at the existing scale will not lapse but will be counted. From the 1st July 1959 onwards the earned leave will be counted and added at the new scale given above. In adding earned leave accumulated up to 30th June 1959 fractions will be resolved into whole numbers. Half a day or more will be counted as a full day and less than half a day will be ignored.

12. *Exception.*—These leave rules will be applicable to all Government servants leave is regulated by the Punjab Government whether they were appointed before the issue of these instructions or are pointed afterwards with the following exceptions;

- (i) *Member of the Punjab Public Service Commission.*—Holding office prior to the issue of these instructions and the enclosed amendments will continue to be governed by the leave rules applicable to them at the time of their appointment. Members of the Commission appointed after the issue of these instructions will however be governed by the new leave rules contained in this letter.
- (ii) *Members of the ex-Secretary of State Services and of All-India Services.*—The Punjab Government is not competent to amend rules regulating their leave.
- (iii) *Employees appointed on contract* will be governed by the terms of their contract. In future contracts terms of leave should conform to the revised scales.
- (iv) *Employees in a vacation Department.*—To whom the existing rules 8.74 and 8.117 of C.S.R. Vol. Part I apply will not be entitled to any earned leave except at the scale and in the manner provided for in these rules. These rules have also been amended to provide for leave at the revised scale to those who are prevented from availing of the vacation. The notification amending these rules is at Enclosure 2.

## VI CASUAL LEAVE

13. (1) *Scale.* Casual leave will be admissible as follows :

(i) To employees with 10 years service or less—10 days.

(ii) To employees with more than 10 years service but less than 20 years service—15 days.

(2) *How calculated*—From the date on which an employee completes his 10th or 20th year of service as the case may be he will be given leave in that year according to the next higher scale. Thus if an employee completes 10 years service on the 30th April 1960 he will be entitled to 15 days casual leave for the entire year 1960. Length of service will be assessed as at paragraph 7 (2).

(3) *Accounting of casual Leave*.—The casual leave account will be maintained annually from the 1st of January to 31st of December. All casual leave accounts will be closed on the 31st December and new accounts opened on the 1st of January, following, irrespective of the fact that an official takes a spell of casual leave which includes the last few days of December, and the first few days of January. Thus if an official takes leave from the 26th December, 1959 to 5th January, 1960, the period 26th December to 31st December will be debited to his leave account for the year 1959 and the period 1st January to the 5th January, 1960, will be debited to his leave account for the year 1960.

(4) *Arrangement for half year of 1959*.—As casual leave is not accumulated and as the revised scales will come into force from the 1st July, 1959, i.e., in the middle of the year, leave admissible to an employee during 1959 will be calculated as follows :—

Ten days (i.e., half of the leave due for the half year from 1st January to 30th June, 1959), plus half the leave that would be due to him in a year according to the revised scale. Thus an official with ten years' service or less will be entitled to a maximum of ten days plus five days, i.e., fifteen days, and an official with above 10 and up to 20 years service to 10 plus 7½, i.e., 17½ days leave during the year 1959. Those who have already availed of some leave will be given the balance which would be calculated according to the maximum limits arrived at in this manner.

However, as the new rules are being introduced in mid year and without long notice, and as some employees may already have exhausted their leave as calculated in this manner, it has been decided as a matter of grace, to allow during the half year beginning 1st July, 1959, a maximum of 3 days casual leave to those who have exhausted their casual leave (whether according to the revised calculations or according to the old scale) and to those who according to the revised calculations will have less than 3 days' leave due to them.

(5) *Length of Leave and Combination of leave*. In taking casual leave, within the limits admissible above, an employee may remain continuously absent from duty for a maximum of 16 days. In this spell he will be permitted to include holidays which will not be debited to his casual leave account. The total spell, however, should in no case exceed 16 days. The balance of the casual leave can be taken in dribbles. It may be emphasised that it is desirable, but not compulsory for Government servants to take such a spell. Where a Government servant desires to take such a spell, permission should not ordinarily be refused although of course the competent authority may adjust the dates on which the spell is taken for administrative convenience.

Casual leave may, at the option of the sanctioning authority, be combined with optional holidays provided that the limit of a continuous absence of 16 days is not exceeded. Casual leave should not, except in hard circumstances to be determined by the sanctioning authority, be combined with the midsummer break.

(6) *Caution*.—Heads of Departments and Heads of Offices should ensure generally that the issue of these instructions does not lead to a general tendency on the part of their employees to take all the casual leave due before the 30th June, 1959. Casual leave up to the 30th June, 1959, should, therefore, be sanctioned with care.

## VII—CONCLUSION

(14) (1) *Net effect of New System*. The following chart shows the comparative position under the existing and revised systems :

Item	Existing Position	Revised System	Days
(a) Earned leave	33 days	Up to 10 years' Service	15
		11—20 years' Service	20
			Average

Item	Existing Position	Revised System
(b) Casual leave	20 days	Upto 10 years' Service ..10 11—20 years' Service ..15 Above 20 years' Service ..20 (1) Sundays ..52
		Average 15
(c) Public Holidays—	(1) Sundays 52 (2) Last Saturdays 12 (3) Religious and National Holidays 30 (4) Local holidays 3	(2) Saturdays (during 8 cooler months) ..34 (3) National days (Republic Day Independence and Gandhi's Birthday) ..3 (4) Midsummer holidays ..3
		92
(d) Optional Holidays for religious, National and festive occasions		..6
(e) Total No. of off days	150	..135
(f) Total No. of working days	215	..230
(g) Working Hours		
4 Summer months from 7. a.m. to 1.30 p.m.	4 Summer months 7 a.m. to 1.30 p.m.	6½ hrs. net
8 cooler months from 10 a.m. to 5.00 p.m. with half an hour lunch interval, i.e., 6½ hours net throughout the year	8 cooler months 9 a.m. to 5.30 p.m. with half an hour lunch interval	8 hrs. net
(h) Total No. of working hours per year	1,398	1,709

*Guidance regarding Emphasis*—It is hoped that the new system will result in better and more work and better and more leisure. Officers at all levels are requested to conduct their activities in the spirit of the new system and in particular to respect the sanctity of holidays. The emphasis should not be to ask or permit employees to work on holidays or to work outside office hours except in emergency or crises. Exceptions will of course have to be made in the case of specialised types of institutions and work such as those which deal with emergencies nursing in hospitals etc. but barring these special cases the success of the new system will depend substantially on its strict observance. It is also the intention of Government that at all levels leave should be applied for, particularly earned leave should be considered favourably, unless there are special circumstances which do not permit this.

#### ENCLOSURE I

#### HOME DEPARTMENT

#### (GAZETTE)

#### Notification

#### Holidays

The 28th May, 1959

be observed as holidays in public office under the State Government during the second half of the year, 1959 i.e. 1st July, 1959 to 31st December, 1959

In addition, all Government servants will be entitled to 4 optional holidays to celebrate festive or religious occasions according to their choice. A Government servant may at his discretion take two half holidays instead of a complete holiday.

This notification does not apply to holidays to be observed by the High Court and Civil Courts, subordinate there to or to Government servants in educational and industrial institutions which are governed by special instructions.

### SCHEDULE

List of closed holidays for the second half of the year 1959.

Names of Holidays	Dates on which they fall	Saka era 1880-81	Day or days of the week	Number of Holidays
All Saturdays after 1st September, 1959.	..	..	..	17
All Sundays	..	..	..	26
Independence Day	15th August	24th sravan	Saturday	1
Mahatma Gandhi's Birthday	2nd October	10th Asvin	Friday	1

### ENCLOSURE—II

### FINANCE DEPARTMENT

### (REGULATION)

### Notification

The 26th May, 1959

No. 3691-ERII 59/5176—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf the Government of Punjab is pleased to make the following amendments in the Punjab Civil Services Rules, Volume Part I, namely :

### AMENDMENTS

#### A—Leave beyond the date of compulsory retirement

##### (i) Rule 8.21,—

(i) in sub-rule (a) (2), for the words 'six months' in the 7th line, the words "four months," shall be substituted.

(ii) in sub-rule (a) (2), the words, 'subject to a maximum of 120 days,' shall be inserted after the word 'leave' in the penultimate line.

((iii) in sub-rule (b) the figures and words '1/12th' shall be substituted for 1/11th.'

#### B— Modification of the Old Leave Rules—Admissibility of Leave on Average Pay

(3) In clause (a), Rule 8.73 after the words "plus one-eleventh of the period spent on duty subsequent to that date" the words "up to 30th June, 1959, and one-twelfth of the period spent on duty thereafter" shall be added.

(4) In clause (b) (i), Rule 8.73 after the words "one-eleventh of the period spent on duty after that date" the words "up to 30th June, 1959, and one-twelfth of the period spent on duty thereafter" shall be added.

(5) In clause (b) (ii) of Rule 8.73, after the words "four months", the words "or six months in the case of leave preparatory to retirement" shall be inserted.

(6) In clause (b) (ii) of Rule 8.73, the following shall be added at the end before the proviso: up to 30th June, 1959 and 1/12th of the period spent on duty thereafter"

**C—Modification of the Revised Leave Rules:—**

(a) *Earned leave, its admissibility and accumulation.*

(b) *Grant of extra-study leave.*

(7) The following shall be substituted for Rule 8.116 of the said rules—

'8.116 (1) The earned leave admissible to a Government servant in permanent employ is :—

(a) 1/24 of the period spent on duty, during the first 10 years of his service,

(b) 1/18 of the period spent on duty during the next 10 years of his service, and

(c) 1/12 of the period spent on duty thereafter.

*Note: For the purpose of assessing the length of service under this sub rule break in service caused as a result of retrenchment shall not entail forfeiture of previous Further-in this case of women Government Tarvanis break in service due to resignation as a result of family circumstances of the Government servant concerned shall also be condoned by the re appointing authority provided the duration of break does not exceed 10 years.*

(2) Accumulation of earned leave shall be permissible to any extent but the maximum earned leave that may be granted at a time to a Government servant shall be (a) 120 days if spent in India (b) 240 days, if the entire leave so granted or any portion thereof is spent outside India Burma Ceylon Daman, Deu, Nepal and Pakistan, provided that where earned leave exceeding 120 days is granted under this sub-rule the period of such leave spent in India shall not in the aggregate exceed 120 days

Provided further that except as provided in the Study Leave Rules contained in Appendix 20 to the Punjab Civil Services Rules Volume 1, Part II, if a Government servant goes on a course of study or research or work which in the Government's view increases his competence knowledge or efficiency or adds to the technical knowledge he may be granted earned leave to the extent it is due to him and not limited to 120 to 240 days.

*Note: The consent of the Finance Department is not presumed to the grant of such study leave*

(3) Leave preparatory to retirement may be allowed up to 180 days on full pay provided it is due".

(c) *Earned Leave admissible Vacation Departments.*

(8) The following shall be substituted for clause (b) of Rule 8.117 of the said rules:—

(b) The earned leave admissible to such Government servant in respect of any year in which he is prevented from availing himself of the full vacation is such proportion of the following periods as the number of days of vacation not taken bears to the full vacation :

(i) to a Government servant with 10 year's service or less

15 days

(ii) to a Government servant with more than ten years' service  
but not exceeding 20 years' service



(iii) To a Government servant with over 20 year's service

30 days

If in any year he does not avail himself of the vacation earned leave will be admissible in respect of that year in accordance with the provisions of Rule 8.116".

(9) In clause (c) of Rule 8.117, the words 'or under the exception thereto as the case may be' shall be deleted.

**D— Earned Leave, etc. to Government servants not in permanent employee.**

(10) The following shall be substituted for Rule 8.133 —

"8.133. The provisions of rules 8.116 to 8.119 apply also to a Government servant not in permanent employ, provided that—

(a) no half pay leave shall be granted unless the authority competent to sanction leave as reason to believe that the officer will return to duty on its expiry; and

(b) no leave not due shall be granted"

(11) Rule 8.134 of the rules shall be deleted.

**E— Date of effect**

These amendments shall come into force on the 1st of July, 1959.

J.S. BASUR,  
Secretary to Government, Punjab,  
Finance Department.