

5. Leave Not Due

1. Leave Not Due may be granted to a permanent Government servant with no half pay leave at credit.

2. Temporary officials with minimum of one year's service and suffering from TB, Leprosy, Cancer or Mental illness may also be granted LND if the post from which the official proceeds on leave is likely to last till his return.

— Rule 31 (1-A).

3. It is granted on medical certificate (Exception : 4 below) if the leave sanctioning authority is satisfied that there is a reasonable prospect of the Government servant returning to duty on its expiry. — Rule 31 (1).

4. It may be granted without medical certificate—

(a) in continuation of maternity leave. — Rule 43 (4).

(b) to a female Government servant with less than two living children on adoption of a child less than a year old. — Rule 43-B.

5. The amount of leave should be limited to the half pay leave that the Government servant is likely to earn subsequently. — Rule 31 (1) (b).

6. LND during the entire service is limited to a maximum of 360 days. — Rule 31 (1).

7. LND will be debited against the half pay leave that the Government servant earns subsequently. — Rule 31 (1) (c).

8. It cannot be granted in the case of 'Leave Preparatory to Retirement'. — Rule 31 (1).

9. When a Government servant granted leave not due resigns from service or is permitted to retire voluntarily without returning to duty, the leave not due should be cancelled. The resignation or retirement will take effect from the date on which such leave had commenced and the leave salary should be recovered. — Rule 31 (2) (a).

10. Where a Government servant, who having availed himself of Leave Not Due, returns to duty but resigns or retires from service before he has earned such leave, he shall be liable to refund the leave salary to the extent the leave has not been earned subsequently. — Rule 31 (2) (b).

11. In cases of 9 and 10 above, leave salary will not be recovered if the retirement is due to ill-health, incapacitating the Government servant for further service or in the event of death or is retired prematurely under FR 56 (j) or FR 56 (l) or Rule 48 (1) (b), CCS (Pension) Rules.

— Proviso to Rule 31 (2).

12. It can be granted to an officer whose leave account shows a debit balance in consequence of the grant of LND on a previous occasion.

— A.G.'s Decision under Rule 31.