

**GOVERNMENT OF BALOCHISTAN
FINANCE DEPARTMENT
(REGULATION WING)**

NOTIFICATION.

Dated Quetta the _____ September, 1981.

No FD(R)- IX-2/81 . In exercise of the powers conferred by Section 25 of the Balochistan Civil Servants Act, 1974 (Balochistan Act IX of 1974), and in supersession of this Departments letter of even number dated 31st October, 1978, the Governor of Balochistan is pleased to make the following rules namely:

**BALOCHISTAN PROVINCE CIVIL SERVANTS
LEAVE RULES, 1981.**

1. **Short title, commencement and application**-(1) These rules may be called the Balochistan Province Civil Servants Leave Rules, 1981.

(2) They shall come into force at once and shall be deemed to have taken effect on and from the first day of July, 1978 and shall also cover those civil servants who may be on leave preparatory to retirement on that date.

(3) They shall apply to all civil servants under the rule making authority of the Governor, except those who opt to be governed by the existing leave rules as provided in rule 2.

Explanation:- For the purposes of these rules the existing leave rules mean the leave rules applicable to a civil servant immediately before the coming into force of these rules.

2. **Option**-(1) All civil servants who were in service on the 1st July, 1978 including those who were on leave on that date, and are still continuing in service shall have the option to retain the existing leave rules. This option shall be valid only if it is exercised in writing and is communicated to the Audit Office/ Head of office concerned so as to reach him not later than the 31st December, 1981.

(2) If on the date of commencement of these rules, a civil servant be on leave or on temporary deputation/training/ foreign service out side Pakistan, he may exercise the option and communicate it to the Audit Officer/Head of Office concerned within three months of the date of his return from leave or to Pakistan.

(3) A civil servant who does not exercise and communicate such option on or before the 31st December, 1981 shall be deemed to have opted to be governed by these rules.

(4) A civil servant who was in service on the 30th day of June, 1978, whether on duty or on leave of any kind, and died before he could exercise his option in favour of the existing leave rules shall be deemed to have opted to be governed by these rules.

(5) A civil servant who validly opts to retain the existing leave rules shall continue to be governed by the rules, orders, etc; which would have been applicable to him had these rules not been issued.

(6) A civil servant who under letter No. FD (R) IX-2/78, dated the 31st October, 1978 had opted to retain the existing leave rules shall not be governed by these rules and the option exercised by him shall be deemed to have been exercised under these rules.

(7) The option once exercised shall be final.

3. **Admissibility of leave to civil Servants:-** Leave shall be applied for expressed and sanction in terms of days by the competent authority and shall be admissible to a civil servant at the following rate and scale:-

(i) **Leave on full pay:** A civil servant shall earn leave only on full pay. It shall be calculated at the rate of four days for every calendar month of the period of duty rendered and credited to the leave account as Leave on full Pay; duty periods of 15 or less in a calendar month being ignored and those of more than 15 days being treated as a full calendar month for the purpose. If a civil servant proceeds on leave during a calendar month and returns from it during another calendar month and the period of duty in either month is more than 15 days, the leave to be credited for both the incomplete months will be restricted that admissible for one full calendar month only.

(ii) The term “leave on full pay” used above does not involve any change in the manner of calculation of leave salary equal to pay last drawn or average pay, whichever is more.

(iii) The provisions of clause (i) will not apply to **Vacation Departments**. A civil servant of a vacation department may earn leave on full pay as: under:-

(a)	When he avails himself of full (vacation in) a calendar year.	At the rate of one day for every calendar month of duty rendered;
(b)	When during any year he is prevented from availing himself of the (full vacation)	As for a civil servant in Non-vacation department for that year; and
(c)	When he avails himself of only a part of the vacation as in (a) above.	plus such proportion of thirty days as the number of days of vacation not taken bears to the full vacation.

(iv) There shall be no maximum limit on the accumulation of such leave.

4. **Grant of leave on full pay.** (1) The maximum period of leave on full pay that may be granted at one time by the competent authority shall be as follows:-

- (i) Without medical certificate = 120 days
- (ii) With medical certificate = 180 days
- PLUS**
- (iii) On medical certificate from leave account in entire service. = 365 days

(2) The maximum prescribed at (i) and (ii) of sub-rule (1) are independent of each other. In other words a civil servant may be granted, at a time, total leave on full pay on medical certificate upto the permissible extent in continuation of leave upto 120 days without medical certificate, subject to given conditions.

5. **Grant of leave on half pay.** (1) Leave on full pay may be converted into leave on half pay, at the option of the civil servant;

(2) Debits to the leave account will be at the rate of one day of the former for every two days of the latter, fraction of one half counting as one full days leave on full pay;

(3) The request for such conversion shall be specified by the civil servant in his application for the grant of leave;

(4) There shall be no limit on the grant of leave on half pay so long as it is available by conversion in the leave account.

6. **Conversion of leave account.** (1) All leave at credit in the account of a civil servant who was service on the 1st day of July, 1978, shall be carried forward and expressed in terms of leave on full pay. The leave accounts in such cases shall, with effect from 1st July, 1978, or in the case of a civil servant who was on leave on that date, with effect from the date of his return from leave, be recast as under, ignoring the fractions, if any:-

(i) **Leave on average pay:**

- (a) 1 month = 30 days
- (b) 1 day = 1 day

(ii) **Leave on half average pay:**

- (a) 1 month = 15 days
- (b) 2 days = 1 day

(2) In carrying forward the leave, the leave, at credit of a civil servant in columns 7 and 8 and half of the leave at credit in column 9 of the existing leave account shall be carried forward to the new leave account of the civil servant.

(3) The leave availed under the existing rules from column 13 (a) of the leave account shall be debited against the maximum limit of 365 days fixed under rule 4 (1) (iii).

7. **Leave not due.** (1) Save in the case of leave preparatory to retirement, leave not due may be granted on full pay for a maximum period of 365 days in the entire period of service, subject to the condition that during the first five years of service it shall not exceed 90 days in all. Such leave may also be converted into leave on half pay. It shall be granted only when there are reasonable chances of the civil servant resuming duty. This leave will not be admissible to temporary civil Servants irrespective of the fact whether or not they have completed 3 years service.

(2) When a civil servant returns from leave which was not due and was debited against his leave account, no leave on full pay shall become due to him until the expiration of a fresh period spent on duty sufficient to earn a credit of leave equal to the period of leave which he took before it was due.

8. **Leave salary:** (1) Leave salary during leave on full pay shall be calculated at a rate equal to the pay last drawn by him before commencement of the leave. Leave on half pay shall be at a rate equal to half of that pay.

¹[(2) A civil servant shall be entitled to the leave pay at the revised rate of pay if a general revision in pay of civil servants takes place or an annual increment occurs during the period of leave of the civil servant. The leave period also includes the period of leave preparatory to retirement (LPR)].

9. **Special leave to female civil servants.** A female civil servant, on the death of her husband maybe granted special leave on full pay not exceeding 130 days. This leave shall not be debited to her leave account and will commence from the date of the death of her husband. For this purpose she will have to produce death certificate issued by the competent authority either along with her application for special leave, or if that is not possible, the said certificate may be furnished to the leave sanctioning authority separately.

10. **Maternity leave:** (1) A female civil servant may be granted maternity leave on ful pay for a period which may be extended upto the end of 90 days from the date of its commencement or to the end of 40 days from the date of confinement, whichever is earlier. It may not be granted more than three times in the entire service of a female civil

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Inserted by PD's Notification dated 19th June, 1995

servant. For confinement beyond the third, the female civil servant would have to take leave from her normal leave account. This restriction will apply to all female civil servants who are governed by these rules. The spells of maternity leave already availed of will also be accounted for in the three times admissible under these rules. However, cases of those female civil servants who have already availed of the concession more than three times shall not be re-opened.

(2) The restriction that maternity leave may not be granted more than three times in the entire service shall not apply to a female civil servant employed in Vacation Department.

(3) Maternity leave will not be debited against the leave account.

11. **Disability leave:** Subject to the provision of Fundamental Rule 83, leave salary during disability leave shall be equal to full pay for the first 180 days and half pay for the balance period.

12. **Extraordinary leave (Leave without pay):** (1) Extraordinary leave may be granted on any ground upto a maximum period of five years at a time; provided that the civil servant to whom such leave is granted has been in continuous service for a period of not less than ten years. In case a civil servant has not completed ten years of continuous service, extraordinary leave without pay for a maximum period of two years, may be granted at the discretion of the leave sanctioning authority. This leave can be granted irrespective of the fact whether a civil servant is a permanent or temporary employee.

(2) The maximum period of leave without pay combined with leave on full pay and leave on half pay shall be subject to the limit of 5 years prescribed in F.R. 18 i.e. the maximum period of extraordinary leave without pay that would be admissible to civil servant who has rendered continuous service for a period of not less than 10 years shall be 5 years, less the period of leave on full pay and leave on half pay so combined.

(3) Extraordinary leave upto a maximum period prescribed in rule 12 may be granted subject to other conditions, irrespective of the fact whether a civil servant is a permanent or a temporary employee²;

Provided that the seniority of the civil servant during/after availing Extra Ordinary Leave without pay shall not be affected and shall retain their inter-se seniority. However, the period of extra ordinary leave without pay shall not be counted towards the prescribed length of service for promotion or reckoned as service qualifying for pension.]

13. **Leave on medical certificate :** Leave applied for on medical certificate shall not be refused. The authority competent to sanction leave may, however, at its discretion secure a second medical opinion by requesting the Civil Surgeon or the Medical Board to have the applicant medically examined. The existing provisions contained in supplementary Rules 212-213 and Rules 220 to 231 for the grant of leave on medical grounds will continue to apply.
14. **Leave preparatory to retirement.** The maximum period upto which a Civil servant may be granted leave preparatory to retirement shall be 365 days only. It may be taken subject to availability in the leave account, either on full pay or partly on full pay and partly on half pay, or entirely on half pay at the discretion of the Civil Servant. In other words leave preparatory to retirement shall in no case exceed 365 days and it will not extend beyond the age of superannuation.
15. **Recreation Leave.** Recreation leave when applied for on full pay against leave account may be granted for 15 days in financial year; the debit to the leave account would however, be for 10 days. This will be available to those civil servants who have not availed of recreation leave from the casual leave account in the same financial year.
16. **Leave Ex. Pakistan.** Leave on full pay may also be granted as leave Ex-Pakistan to a civil servant who applies for such leave or who proceeds abroad during leave, or while posted abroad or is otherwise on duty abroad and makes a specific request to that effect. The leave pay to be drawn abroad in foreign exchange shall however, be payable only to those civil servants who were appointed before the 17th May, 1958 and shall be restricted to a maximum of Rs. 3,000/— per month, such leave pay shall be payable for the actual period of leave spent abroad subject to a maximum of 120 days at a time.
17. **Assigning reasons for Leave:** It shall not be necessary to specify the reasons for which leave has been applied, so long as that leave is due and admissible to a civil servant.
18. **Commencement and end of leave.** Instead of indicating whether leave starts/ends in the forenoon or afternoon, leave shall commence from the day following that on which a civil servant hands over the charge of his post. It shall end on the day preceding that on which he resumes duty.
19. **Absence after the expiry of leave.** Unless his leave is extended by the leave sanctioning authority, a civil servant who remains absent (except for circumstances beyond his control), after the end of his leave shall not be entitled to any remuneration for the period of such absence, and double the period of such absence shall be debited against his leave account such debit shall if there is insufficient credit in the leave account, be adjusted against future accumulations. Such double debit shall not preclude any disciplinary action that may be considered necessary under any rules for the time being in force, after affording a reasonable opportunity to the civil servant concerned to indicate his position.

³[20. **Encashment of refused leave preparatory to retirement:**

(1) If in case of retirement on attaining the age of superannuation or voluntary retirement on completion of twenty six (26) years qualifying service a civil servant cannot, for reasons of public service, be granted leave preparatory to retirement duly applied for in sufficient time, he will in lieu thereof be granted lump-sum leave pay for the leave refused to him subject to maximum of three hundred and sixty-five (365) days leave on full pay.

(2) A civil servant may, fifteen months before the date of superannuation or qualifying service of voluntary retirement, at his option, be allowed to encash his leave preparatory to retirement if he undertakes in writing to perform duty in lieu of the whole period of three hundred and sixty-five (365) days.

Provided that a civil servant who does not exercise the option within the specified period shall be deemed to have opted for encashment of leave preparatory to retirement.

(3) In lieu of such leave, leave pay may be claimed for the actual period of such leave subject to a maximum of three hundred and sixty-five (365) days.

(4) Encashment of leave preparatory to retirement not exceeding three hundred and sixty-five (365) days shall be effective from the first day of July, 2012 and shall, for the entire period of leave refused or opted for encashment, be applicable to a civil servant retired or, as the case may be, retiring on or after the first day of July, 2012, provided such leave is available at his credit subject to maximum of three hundred and sixty-five (365) days.

(5) The encashment of leave preparatory to retirement shall also be applicable to employees of the autonomous and semi-autonomous bodies under Administrative control of the Provincial Government which have adopted basic pay scales schemes and these rules in toto.

(6) If at any time during such period, leave is granted on account of ill health supported by medical certificate or for performance of Hajj, the amount of cash compensation on account of leave pay shall be reduced by an amount equal to the leave pay for the period of leave so granted.

(7) Ordinarily leave preparatory to retirement shall not be refused. All orders refusing leave preparatory to retirement to a civil servant and recalling a civil servant from leave preparatory to retirement shall be passed only by authorities competent to sanction leave.

³ Substituted by Finance Department's Notification dated 30th January, 2013

(8) The civil servant shall submit the option to the authority competent to sanction leave preparatory to retirement, who shall accept the option and issue formal sanction for the payment of cash compensation.

(9) For the purpose of lump-sum payment in lieu of refused leave preparatory to retirement may be made to the civil servant either in lump-sum at the time of retirement or may, at his option, be drawn by him month-wise for the period of leave refused.

(10) For the purpose of lump-sum payment in lieu of such leave, only the "Senior Post Allowance" will be included in the "Leave Pay" so admissible.

(11) Leave pay for the purpose of encashment of leave preparatory to retirement shall be computed on the basis of pay and allowances reckonable towards pension as shown in the last pay certificate of a civil servant.]

21. ⁴**[In Service death etc.** (1) In case a Civil servant dies, or is declared permanently incapacitated for further service by a Standing Medical Board equal to leave pay upto ⁵[three hundred and sixty five days] out of the leave at his credit, shall be made to his family as defined for purpose of family pension or, as the case may be, to the civil servant.

(2) For the purpose of lump sum payment under sub-rule (1) only the 'Senior post allowance' will be included in the "leave Pay" as admissible.]

22. **Recall from leave:-** If a civil servant is recalled to duty compulsorily with the approval of the leave sanctioning authority, from leave of any kind, which he is spending away from his headquarters, he may be granted return fare plus daily allowance as admissible on tour from the station where he is spending his leave to the place where he is required to report for duty. In case he is recalled to duty at headquarters and his remaining leave is cancelled the fare then admissible shall be for one way journey only. If the order of recall to the civil servant is optional then the concession above mentioned will not be admissible.

⁶[23. **Study Leave:**

(a) Study leave may be granted on full pay in case of M.S/M.Phil and M.S/M.Phil leading to Ph.D;

(b) Study leave for M.S/M.Phil for a period, not exceeding 24 months or course period, whichever is less, duly verified by the concerned university, may be granted to the civil servant who has at least two years regular service in the substantive grade to his/her credit;

4 Substituted by F.D's Notification dated 6th December, 1989.

5 Substituted by Finance Department's Notification dated 26th July, 2013

6 Substituted by Extra Ordinary Gazette No. 275 of 7th December, 2011.

- (c) Study leave for Ph.D for a period, not exceeding 48 months or course period, whichever is less, duly verified by the concerned university, may be granted to the civil servant who has at least 4 years regular service in the substantive grade to his/her credit;
- (d) Study leave shall only be granted to the civil servant who furnishes a surety bound on an affidavit of Rs.1000/- attested by the first class magistrate and duly assured by the guarantor for repayment of amount equivalent to the expenditure incurred upon his studies or the salaries to be drawn during the intended studies or both, that after completion of the intended higher qualification, the civil servant concerned will serve the Government of Balochistan for a period not less than four years;

Provided that any civil servant who gets retired prior to completion of the four years mandatory service after acquiring the higher qualification, the period remaining shall be recoverable as monthly pay (with pay and allowances) along with expenditures incurred for the remaining period, from the pension and gratuity or returning the amount of the salary drawn and expenditures incurred for the period in question.

- (e) In case a civil servant, to whom study leave was granted on full pay for higher studies, fails to complete the studies well in time, then the remaining period. (not exceeding a period of 12 months in any case) will be treated as earned leave as per the availability of leave on his/her leave account with full pay. If less leave is available on leave account of civil servant concerned then the remaining period shall be treated as Extra Ordinary Leave (without pay and allowances);
- (f) In case a civil servant to whom study leave was granted on full pay for higher studies, fails to get the intended qualifications or leaves the desired course incomplete then, the period spent shall be treated as Extra Ordinary Leave (without pay and allowances) and the salaries of the period spent and the expenditures incurred shall be recoverable from his/her pay, pension and gratuity. Furthermore, such civil servant shall not be eligible for promotion, grant of time scale or any other benefit associated with the benefit of higher qualification (no such study leave shall be granted to those civil servants who have attained the age of 55 years or more).

Provided that the promotion or grant of time scale or any other benefit associated with the benefit of higher qualification shall be ceased for a period corresponding to the length of the course joined and such period shall not be counted for any financial benefit as referred hereinabove.

- (g) The policy governing scholarship and the terms and conditions regarding M.S/M.Phil and Ph.D of various departments, if not repugnant to this policy, shall remain intact;

- (h) The period of study leave shall be treated as on duty and a post of OSD, for entire period of studies, shall be created thereof for the salary of the officer concerned at his/her place of posting;
- (i) Study leave shall be claimable, not exceeding 48 months, by every civil servant in entire service.”
- (j) Study Leave shall be granted with due regard to the exigencies of the public service;

Provided that study leave for only those courses be encouraged which may help in increasing the capacity of the officers/officials in the performance of their duty/functions on the post to which they are appointed/promoted or require to perform a specific function of technical nature.]