



सत्यमेव जयते

GOVERNMENT OF MAHARASHTRA

FINANCE DEPARTMENT

**MAHARASHTRA CIVIL SERVICES
(LEAVE)
RULES, 1981**

(Updated upto 28th January 2025)

**FINANCIAL PUBLICATION OF THE
GOVERNMENT OF MAHARASHTRA No. III**

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**FINANCIAL PUBLICATION OF THE
GOVERNMENT OF MAHARASHTRA No.III**

(iii)

Introduction

Maharashtra Civil Services (Leave) Rules, were first published in 1981. It was indicated at that time that the Marathi version of the said rules would be published separately. Accordingly Maharashtra Civil Services (Leave) Rules, 1981 was published. This Marathi version was updated by incorporating changes made upto 31st May 1985. This Marathi translation was published in the gazette of 27th June 1985. Thereafter, considering the changes made in the rules from time to time, a need was felt to publish an updated version and therefore, the Finance Department decided to publish the latest updated edition of the rules.

Shri D.G.More, retired Joint Secretary has made valuable contribution in drafting the book. Smt. Anita Lad, Under Secretary, and Smt. Mugdha Bane, Desk Officer helped in completing the book.

Date: 28/01/2025
Finance Department,
Mantralaya,
Mumbai-400032.

Vinayak A. Dhotre,
Deputy Secretary to Government,
Finance Department.

(v)

P R E F A C E

The First Edition of the Bombay Civil Services Rules, 1959, in Volumes I and II, was published in 1959. Various developments have taken place since reorganisation of the bilingual Bombay State into the two States of Maharashtra and Gujarat in 1960. Also further changes have been made in the Rules through numerous amendments issued from time to time, during the last few decades. As a result, considerable difficulties were being experienced in application of these rules. The need to have the revised and simplified Civil Services Rules was being acutely felt.

The Government, has so far published the following Rules from time to time:-

- (1) Maharashtra Civil Services (General Conditions of Services) Rules.
- (2) Maharashtra Civil Services (Pay) Rules.
- (3) Maharashtra Civil Services (Joining Time, Foreign Service and Payments during Suspension, Dismissal and Removal) Rules.
- (4) Maharashtra Civil Services (Leave) Rules.
- (5) Maharashtra Civil Services (Pension) Rules.
- (6) Maharashtra Civil Services (Commutation of Pension) Rules.

2. The first four sets of Rules [Sr. Nos. (1) to (4)] have been framed by the Governor of Maharashtra under the provision of Article 309 of the Constitution of India. These rules which have been issued under Government Notification, Finance Department, No. MSC 1081/1/ MCSR-Cell, dated the 23rd July 1981, came into force with effect from the 15th August 1981. Sr.No.5, Maharashtra Civil Services (Pension) Rules, 1982, were framed by the Governor of Maharashtra under the provision of Article 309 of the Constitution of India, which have been issued under Government Notification, Finance Department, No.MSC-1082/5/SER-6, dated the 12th August, 1982, and came into force with effect from 15th August, 1982. The Sr.No.6 Maharashtra Civil Services (Commutation of Pension) Rules, 1984 have been framed by the Governor of Maharashtra under the provision of Article 309 of the Constitution of India, which have been issued under Government Notification, Finance Department, No.MCS-1084/9/SER-6, dated the 19th July, 1984 and came into force with effect from 15th August, 1984.

The Government has decided to revise the six sets of Rules mentioned in para 1 on priority.

3. This set of rules pertains to admissibility of leave to employees of the Maharashtra Government.

4. To make each set of Rules as self-contained as possible, the relevant delegation of powers, Appendices and the relevant forms pertaining to a particular subject, have also been included therein.

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5. For easy reference, a comparative table has been appended to this set of rules at the end, indicating the new rule numbers and the corresponding provisions of the Bombay Civil Services Rules, 1959. The table also indicates the provisions of the Mumbai Civil Services Rules, 1959, which have been deleted from this set of rules.

6. Omissions or inaccuracies, if any, in this set of rules, may please be brought to the notice of the Finance Department.

Date: 28/01/2025
Finance Department,
Mantralaya,
Mumbai 400032

Dr. Richa Bagla,
Principal Secretary to Government
(Accounts and Treasuries)
Finance Department.

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1 The rule is deleted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from the 1st January, 1990.

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- 3 The rule is deleted *vide* Government Notification, F.D., No. LVE-2401/7/SER-9 dated 5th February, 2001 with effect from 1st February, 2001.
- 4 The rule is added *vide* Government Notification, F.D., No. MCS-2020/C.R. 4/SER-6, dated 28th January, 2025. with effect from 20th January, 2016.
- 5 The rule is added *vide* Government Notification, F.D., No. MCS-2020/C.R. 4/SER-6, dated 28th January, 2025. with effect from 21st September, 2016 and 9th March, 2023.
- 6 The rule is added *vide* Government Notification, F.D., No. MCS-2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 15th March, 2017.
- 7 The rule is added *vide* Government Notification, F.D., No. MCS-2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 23rd July, 2018 and 15th December, 2018.

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1 The rule is added *vide* Government Notification, F.D., No. MCS-2020/C.R. 4/SER-6, dated 28th January, 2025

2 The provision is added *vide* Government Notification, F.D., No. MCS-2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 20th January, 2005

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1 The Provision is added *vide* Government Notification F.D. No. MCS-2020/C.R.4/SER-6, dated 28th January, 2025 with effect from 20th January, 2005.

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COMPARATIVE TABLE

Comparative Table showing the rules from the Maharashtra Civil Services (Leave) Rules, 1981 and corresponding rules in the Bombay Civil Services Rules, 1959.

GOVERNMENT OF MAHARASHTRA
FINANCE DEPARTMENT

Mantralaya, Mumbai 400 032, dated 23rd July 1981

NOTIFICATION

CONSTITUTION OF INDIA.

No. MSC 1081/4/MCSR-cell.—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Maharashtra is hereby pleased to make the following rules further to amend the Maharashtra Civil Services (Leave) Rules, 1981, namely :—

CHAPTER I—GENERAL

1. Short title and commencement

(1) These Rules may be called the Maharashtra Civil Services (Leave) Rules, 1981.

(2) They shall come into force on the 15th day of August, 1981.

2. Extent of Application

(1) Save as otherwise provided in these rules, these rules shall apply to all Government servants whose conditions of service the Government of Maharashtra are competent to prescribe.

Note 1.—The amount of leave to Government servants of the former States of Saurashtra, Kutch, Madhya Pradesh and Hyderabad allocated to the State of ¹[Mumbai] who have opted to be governed by the rules of the former States applicable to them before the 1st November 1956, in accordance with Government Resolution, Finance Department, No.INT-1056/S-8, dated the 7th January 1957, as modified from time to time, shall be governed by those rules.

Note 2.—The option for leave rules exercised by the Government servants of the former States of Saurashtra, Kutch, Madhya Pradesh and Hyderabad allocated to the State of ¹[Mumbai] covers also three types of leave, viz., Special Disability Leave, Maternity Leave and Hospital Leave and also the Pilgrimage Leave in the case of the allocated Government servants from the former State of Hyderabad only, admissible under Article 180-A, Appendix XXI, Volume II of the Hyderabad Civil Services Rules, but in the case of Study Leave they are all governed by these rules.

Note 3.—Persons transferred to Government service from a Local Fund which is not administered by Government will be treated as joining a first post

¹ The word “Bombay” wherever it occurs, the word “Mumbai” is substituted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025.

under Government and their previous service shall not count as service performed under Government. Government may, however, allow previous service in such cases to count as service performed on such terms as it thinks fit.

(2) Unless it be otherwise provided in these rules, a permanent Government servant to whom these rules do not apply—

(a) when transferred temporarily to a service or post to which these rules apply, shall remain subject to the leave rules which were applicable to him before such transfer; and

(b) when appointed substantively to a permanent post to which these rules apply, shall become subject to these rules from the date of such appointment in which case the leave at his credit under the rules previously applicable to him shall be carried forward subject to the maximum limits of accumulation as laid down in rule 50. The leave so carried forward shall first be exhausted before the leave earned under these rules is availed of. The leave salary in respect of the leave carried forward shall be borne by the Government from which the Government servant is transferred.

3. Right to interpret

¹[Finance Department] reserve to themselves the right of interpreting these rules.

4. Power of relaxation

Where Government is satisfied that the operation of any of these rules causes or is likely to cause undue hardship in the case of any Government servant or class of Government servants, it may, by an order in writing, exempt any such Government servant or class of Government servants from any provisions of these rules or may direct that such provisions shall apply to such Government servants or class of Government servants with such modifications not affecting the substance thereof as may be specified in such order.

5. Persons for whom special provisions made

Persons in respect of whom special provisions regarding leave have been made shall be governed by such special provisions.

6. Regulation of claim to leave

A Government servant's claim to leave is regulated by the rules in force at the time the leave is applied for and granted.

7. Exercise and delegation of powers under these rules

No powers may be exercised or delegated under these rules except after

¹ The words are substituted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025.

consultation with the Finance Department. It shall be open to ¹[*the Finance Department*] to prescribe, by general or special order, cases in which its consent may be presumed to have been given.

Note.—For powers delegated under these rules see Appendix I.

8. Reasons for concessions to be communicated to Audit Officer

When a competent authority, other than Government, communicates to the Audit Officer an order granting any concessions under these rules to any Government servant in cases in which it is prescribed that the reasons therefor should be recorded, he should at the same time forward to him a copy of his reasons.

¹ The words are substituted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025.

CHAPTER II

DEFINITIONS

[The definitions given below are reproduced from Chapter II of the Maharashtra Civil Services (General Conditions of Services) Rules, 1981 and are only those definitions which are relevant for the purpose of the subject-matter contained in this set of rules.]

9. Unless the context otherwise requires, the terms defined in this chapter are used in the various sets of the Maharashtra Civil Services Rules, in the sense here explained:—

(3) **Apprentice** means a person deputed for training in a trade or business with a view to employment in Government service, who is paid at monthly rates by Government during such training but is not employed in or against a substantive vacancy in the cadre of a department.

(4) **Audit Officer** means an Audit Officer, appointed by the Comptroller and Auditor General of India whatever his official designation, in whose circle of audit a public servant is serving, or (in respect to verification of service) has served.

(5) ¹[**Cadre** means a group of permanent as well as temporary posts, sanctioned from time to time, of a service or a part of a service sanctioned as a separate unit.]

(8) **Compensatory allowance** means an allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed. It includes different types of travelling allowances.

(9) **Competent authority**, in relation to the exercise of any power, means Government, or any authority to which the power is delegated by or under these rules.

(12) **Date of first appointment** means the date the Government servant assumes the duties of his first post in Government service, or, if this be earlier, the date of his assumption of any duty which is treated, as service counting for pension.

(13) **Day** means the period beginning from one midnight and ending with the next midnight.

²[(18) **First appointment** means the appointment of a person under the Government by recruitment process:

1 The provision is substituted *vide* Government Notification, F.D., No.GCS-1096/8/SER-6, dated 27th March, 1997.

2 The provision is substituted *vide* Government Notification, F.D., No.MCS-2019/C.R. 19/SER-6, dated 30th December, 2021.

Provided that, if a person is holding a post previously in the Government and he/she is selected by direct recruitment for another post in the Government that new appointment is also a first appointment.

Note.-“recruitment process” means as per the provisions of Recruitment Rules, the selection by Maharashtra Public Service Commission or Competent Selection Authority or appointed on compassionate ground.]

¹[(19) **Foreign service** means where a Government servant is appointed in India or outside of India with the approval of Competent Authority and receives his pay from any sources other than the Consolidated Fund of India or of a State, or of a Union Territory.

(19A) **Deputation** means a Government servant transferred from his original cadre to other post, in a State or in India or outside India, with the sanction of Government, and draw his pay from Consolidated Fund of India or of a State, or of a Union Territory.

(19B) **Deputation period** means a period from the date on which a Government Servant relieves from his post in original department and came to an end on a date on which he joins the post in original department]

¹[(20) **A Gazetted Government servant** means,-

(i) All Group “A” Officers of the State Government;

(ii) Group “B” Officers of State Government, whose names and appointments are published in the Gazette by the Government.

Provided that,

(a) the Government servant who is authorised for judicial purposes; or

(b) any Government servant authorized as Drawing and Disbursing Officer,

shall not be considered as Gazetted Officer ;

(20A) **Government servant** means a person who,—

(i) is appointed to any Civil Service or post in connection with the affairs of the State, and include such Government servant whose services are temporarily placed at the disposal of any other State Government or Government of India, or a company, or corporation owned or controlled by the Government, or a local authority or other authority, notwithstanding that his salary is drawn from sources other than the Consolidated Fund of the State;

(ii) holds a civil post under any Government in India and whose services are temporarily placed at the disposal of the Government; or

¹ The provision is substituted *vide* Government Notification, F.D., No.MCS-2019/C.R. 19/SER-6, dated 30th December, 2021.

(iii) is in the service of a local or other authority and whose services are temporarily placed at the disposal of the Government;

Note.—A person who is not appointed by the Government or who does not receive his pay from the Consolidated Fund of India or of a State, or of a Union Territory and his expenditure on pay met from the Grant-in-Aid Fund provided by the Central or State Government or Union Territory is not a Government Servant.]

(21) **Government**, unless there is anything repugnant in the subject or context, as respects anything done or to be done after the commencement of the Constitution, shall mean the Governor of Maharashtra.

(22) **Heads of Departments** This term includes the officers mentioned in Appendix II of Maharashtra Civil Services (General Conditions of Services) Rules, 1981 and any others whom Government may from time to time declare to be Heads of Department.

(23) **Holiday** means—

(a) a holiday prescribed or notified by or under section 25 of the Negotiable Instrument Act, 1881; and

(b) in relation to any particular office, a day on which such office is ordered by Government, or by a duly constituted authority, by notification in the Gazette or otherwise, to be closed for the transaction of Government business without reserve or qualification.

¹[(26) **Group “D” Service** means a post specifically classified as Group D post in post creation order or in Recruitment Rules.]

(27) **Joining time** means the time allowed to a Government servant to join a new post or to travel to or from a station to which he is posted.

(28) **Leave** means permission to remain absent from duty granted by a competent authority under the Maharashtra Civil Services (Leave) Rules, 1981.

(29) **Leave-salary** means the monthly ²[proportionate] amount paid by Government to a Government servant on leave.

(30) **Lien** means the title of a Government servant to hold substantively, either immediately or on the termination of a period or periods of absence, a permanent ²[or temporary] post, including a tenure post, to which he has been appointed substantively.

1 The provision is substituted *vide* Government Notification, F.D., No.MCS-2019/C.R. 19/SER-6, dated 30th December, 2021.

2 The word/s is/are inserted *vide* Government Notification, F.D., No. MCS-2019/C.R. 19/SER-6, dated 30th December, 2021.

(34) **Month** means a calendar month. In calculating a period expressed in terms of months and days complete calendar months, irrespective of the number of days in each, should first be calculated and the odd number of days calculated subsequently,

Instruction.—Calculations of period expressed in terms of months and days should be made as under :—

(a) To calculate 3 months and 20 days on and from the 25th January, the following method should be adopted :—

	Y.	m.	d.
25th January to 31st January	0	0	7
February to April	0	3	0
1st May to 13th May	0	0	13
	0	3	20

(b) The period commencing on 30th January, and ending with 2nd March should be deemed as 1 month and 4 days, as indicated below :—

	Y.	m.	d.
30th January to 31st January	0	0	2
February	0	1	0
1st March to 2nd March	0	0	2
	0	1	4

(35) **Officiate.** A Government servant officiates in a post when he performs the duties of a post on which another person holds a lien. A competent authority may, if it thinks fit, appoint a Government servant to officiate in a vacant post on which no other Government servant holds a lien.

(36) **Pay** means the ¹[*proportionate*] amount drawn monthly by a Government servant as—

(i) the pay (including special dearness pay) which has been sanctioned for a post held by him substantively or in an officiating capacity or to which he is entitled by reason of his position in a cadre; and

(ii) personal pay ²[]; and

(iii) any other emoluments which may be specially classed as pay by Government. ³[*including Non-Practicing allowance and*]

1 The word/s is/are inserted *vide* Government Notification, F.D., No. MCS-2019/C.R. 19/SER-6, dated 30th December, 2021.

2 The words are deleted *vide* Government Notification, F.D., No. MCS-2019/C.R. 19/SER-6, dated 30th December, 2021.

3 The word/s is/are added with effect from 1st January, 2006 *vide* Government Notification, F.D., No. MCS-2019/C.R. 19/SER-6, dated 30th December, 2021.

¹[(iv) the pay drawn in the prescribed pay band plus applicable grade pay as per the Sixth Pay Commission but does not include any other type of pay like special pay, which the Government Servant was receiving immediately before his retirement or on the date of his death.;

²[Provided that, any kind of financial incentive, including difference in pay on account of one-step promotion (other than by way of time bound promotion or assured career progression) as per any policy of the Government, shall not be admissible for calculating pay.;

³[(iv) the pay drawn in the prescribed pay level but does not include any other type of pay like special pay, which the Government Servant was receiving immediately before his retirement or on the date of his death.;

(40) **Permanent post** means a post carrying a definite rate of pay sanctioned without limit of time.

(41) **Personal pay** means additional pay granted to a Government servant—

(a) to save him from a loss of substantive pay in respect of a permanent post other than a tenure post due to a revision of pay or due to any reduction of such substantive pay otherwise than as a disciplinary measure; or

(b) in exceptional circumstances, on other personal considerations.

(42) **Presumptive pay** of a post, when used with reference to any particular Government servant, means the pay to which he would be entitled if he held the said post and were performing its duties; but it does not include special pay unless the Government servant performs or discharges the work or responsibility, in consideration of which special pay was sanctioned.

(43) **Probationer** means a Government servant employed on probation in or against a substantive or temporary vacancy in the cadre of a department.

Note 1.—No person appointed substantively to a permanent post in a cadre is a probationer, unless definite conditions of probation have been attached to his appointment, such as the condition that he must remain on probation pending the passing of certain examination.

Note 2.—A Government servant (other than one who holds substantively a permanent post) appointed on promotion to a temporary post will be treated for all purposes as a temporary Government servant.

1 This proviso is added with effect from the 1st January, 2006 *vide* Government Notification, F.D., No.MCS-2019/C.R. 19/SER-6, dated 30th December, 2021.

2 This proviso is added with effect from the 27th October, 2014 *vide* Government Notification, F.D., No.MCS-2019/C.R. 19/SER-6, dated 30th December, 2021.

3 The provision at clause (iv) which is added with effect from 1st January 2006 is substituted with effect from the 1st January, 2016 *vide* Government Notification, F.D., No.MCS-2019/C.R. 19/SER-6, dated 30th December, 2021.

Note 3.—The status of a probationer is to be considered as having the attributes of a substantive status except where the rules prescribe otherwise.

(46) **Registered medical practitioner** means a medical practitioner registered under the Maharashtra Medical Council Act, LXVI of 1965, or the Maharashtra Medical Practitioners Act, XXVIII of 1961, or a practitioner registered under Part A or Part B of the Register maintained under the Maharashtra Homoeopathic and Biochemic Practitioners Act, XII of 1960, or any other law corresponding thereto and in force in the State of Maharashtra, or the respective Medical Registration Acts of the several State Governments.

(48) **Special Pay** means an addition, of the nature of pay, to the emoluments of a post or of a Government servant granted in consideration of—

(a) the specially arduous nature of the duties;

(b) a specific addition to the work or responsibility.

(51) **Substantive pay** means the pay other than special pay, personal pay or emoluments classed as pay by Government under sub-rule 36 (iii) to which a Government servant is entitled on account of a post to which he has been appointed substantively or by reasons of his substantive position in a cadre.

(53) **Temporary post** means a post carrying a definite rate of pay sanctioned for a limited time.

Note.—Substantive appointments to temporary posts should be made in a limited number of cases only, as for example, when posts are, to all intents and purposes, quasi-permanent or when they have been sanctioned for a period of not less than, or there is reason to believe that they will not terminate within a period of three years. In all other cases, appointments in temporary posts should be made in an officiating capacity only.

Instruction.—The benefit of substantive appointments to temporary posts contemplated in the above note should not be allowed to be enjoyed by more than one person simultaneously. Therefore, where a Government servant has already been appointed substantively to a temporary post and there is a temporary interruption in his tenure of the post, it would not be proper to appoint another Government servant substantively to the post during such temporary interruption. For this purpose, interruptions which are likely to last for less than 3 years may be treated as temporary. It follows, therefore, that where a Government servant is already appointed substantively to a temporary post, a second Government servant should not be appointed substantively to it unless the previous holder of the post has been transferred from it permanently or unless he has been transferred temporarily and there is reason to believe that he will remain absent from the post for a period of not less than three years.

(54) **Tenure post** means a permanent post which an individual Government servant may not hold, for more than a limited period without reappointment.

Note.—The following posts in State and Group A services have been declared by Government to be tenure posts :—

	Period of tenure (years)
(1) Under Secretary to Government (when held by persons other than those promoted from the Subordinate Secretariat Service).	3
(2) Deputy Secretary (Criminal Law) in the Law & Judiciary Department.	5
(3) Solicitor (Mofussil Litigation)	5
(4) Three posts of Assistant Directors of Social Welfare	3

¹[(56) **Transfer** means posting of a Government servant from one post, office or Department to another post, office or Department. as defined in the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (Maharashtra Act XXI of 2006)]

(57) **Transit time** means the actual time required to reach the destination of tour from the headquarters or from one outstation to another outstation by the ordinary mode of travel.

1 The provision is substituted vide Government Notification, F.D., No.MCS-2019/C.R. 19/SER-6, dated 30th December, 2021.

CHAPTER III— GENERAL CONDITIONS

10. Right to leave

(1) Leave is permission granted by a competent authority at its discretion to remain absent from duty.

(2) Leave cannot be claimed as of right.

(3) When the exigencies of public service so require, leave of any kind may be refused or revoked by the authority competent to grant it, but it shall not be open to that authority to alter the kind of leave due and applied for except at the written request of the Government servant.

11. Considerations for sanctioning of leave on application

Where all applications for leave cannot in the interest of public service be granted, an authority competent to grant leave should in deciding which application should be granted take into account the following considerations:-

(a) the Government servant who can for the time being best be spared.

(b) the amount of leave due to the various applicants.

(c) the amount and character of the service rendered by each applicant since he last returned from leave.

(d) the fact that any such applicant was compulsorily re-called from his last leave.

(e) the fact that any such applicant has been refused leave in the public interest.

12. Grant of leave should not unduly deplete cadre

Leave should not be granted to an extent which would deplete the strength of a service or Department available for duty below the essential minimum.

13. Duties of Government servant absent on leave to be discharged by another Government servant ordinarily from same station or district

As a general rule, the duties of a Government servant absent on leave for a period not exceeding 120 days should be discharged by another Government servant in the same station or district. Only in exceptional cases, where there is no Government servant available on the spot, the transfer of a Government servant from another station or district to officiate in consequence of a Government servant being on leave, not exceeding 120 days can be allowed. In the case of posts held by members of the All India Services, if a member of that service is not available on the spot, a State Service Officer should be placed in charge of the vacant post.

14. Commutation of one kind of leave into another

(1) At the request of a Government servant, the authority which granted him leave may commute it retrospectively into leave of a different kind which was due and admissible to him at the time the leave was granted, but the Government servant cannot claim such commutation as a matter of right.

¹[Provided that, no such request shall be considered unless received by such authority or any other authority designated in this behalf, within a period of 30 days of the concerned Government servant joining his duty on the expiry of the relevant spell of leave availed of by him.]

(2) The commutation of one kind of leave into another shall be subject to adjustment of leave salary on the basis of leave finally granted to the Government servant, that is to say, any amount paid to him in excess shall be recovered or any arrears due to him shall be paid.

Note.—Extraordinary leave granted on medical certificate or otherwise may be commuted retrospectively into leave not due subject to the provisions of rule 62.

15. Combination of different kinds of leave

Except as otherwise provided in these rules, any kind of leave under these rules may be granted in combination with or in continuation of any other kind of leave.

Explanation.—Casual leave which is not recognized as leave under these rules shall not be combined with any other kind of leave admissible under these rules.

²[*Note 1*—*The permission to prefix and suffix any number of Saturdays/ Sundays and/ or public holidays to casual leave and to interpose a holiday or a series of holidays between the period of casual leave allowed. The total period of casual leave and holidays enjoyed in continuation at one time should not exceed seven days, in exceptional circumstances it may be extended up to 10 days.*

Note 2—*Only eight casual leaves are allowed in one calendar year.]*

16. Maximum amount of continuous leave.—

³[*(1) No Government servant shall be granted leave of any kind for a continuous period exceeding five years.*

1 The proviso is added *vide* Government Notification, F.D., No. LVE. -2408/C.R. 26/SER-8, dated 25th July, 2008.

2 The Notes are added *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025.

3 The provision is substituted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025.

(2) *Unless the Finance Department, in view of the exceptional circumstances of the case, otherwise determines, a Government servant who remains absent from duty for a continuous period exceeding five years other than on foreign service, with or without leave, shall be deemed to have resigned from the Government service ;*

Provided that, a reasonable opportunity to explain the reasons for such absence shall be given to the Government servant before provisions of sub-rule (2) are invoked.

Explanation.—‘ A reasonable opportunity ’ means, a notice by R.P.A.D. or electronically to the concerned Government Servant and the concerned Government servant has to submit his reply within thirty days from the date of receipt of notice by R.P.A.D. or electronically.]

17. Formal joining of duty at the end of leave with the intention of taking leave again not permitted

Formal joining of duty at the end of leave with the intention of taking leave again within a few days should not be permitted. The principle on which the requirements of this rule should be enforced is that no deliberate or intentional evasion of the rule should be permitted; but so long as this condition is satisfied, it is left to the discretion of the authority competent to grant the leave, to grant or refuse it, as may seem proper in each case.

18. ¹[Application of rules while on temporary transfer to other Government on *deputation* or on foreign service.—

(1) *Government servants to whom these rules apply shall continue to be governed by these rules while on temporary transfer on deputation to the Central Government or any other State Government,*

(2) *A Government servant on deputation in India should submit his application for leave for a period not exceeding 120 days to his employer. If the period is in excess of 120 days, he should submit the application through his employer to the authority, competent to grant the leave.*

(3) *A Government servant on deputation in India may be granted by his employer leave for a period not exceeding 120 days, provided that it is certified by the Head of the Office of the concerned Government servant, to be admissible. Leave of longer duration may be granted by the authority who sanctions the transfer.*

(4) *A Government servant working in foreign service in India, shall not be granted leave except as per the rules applicable to the services he belongs and he shall not be entitled to leave unless he is relieved and not entitled to leave salary unless he proceeds on leave.*

¹ The rule is substituted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025.
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(5) (a) *The employer, as per the condition prescribed by him, shall grant leave to the Government servant who is posted out of India. In specific cases, the Appointing Authority, shall decide with prior consultation to the employer, the condition on which leave shall be granted. The leave salary shall be paid by the employer who sanctioned the leave and that leave shall not be debited to his leave account.*

(b) *In specific case, the Competent Authority, who sanctioned posting in foreign service, shall arrange with the employer of foreign service and if that employer is willing to contribute as per the rates prescribed in Appendix –IV of the Maharashtra Civil Services (Joining Time, Foreign Services and Payments during Suspension, Dismissal and Removal) Rules, 1981 leave salary contribution in the account of Consolidated Funds of State, then he shall sanctioned the leave to the Government servant as per the rules applicable to him.]*

19. Admissibility of leave while in foreign service ¹[or on deputation to be certified by *Head of the Office*]

In the case of a Government servant on foreign service ²[or on deputation] leave should not be sanctioned until the ³[*Head of Office of that Government servant*] who is responsible for the recovery of the leave and pension contributions has certified the amount of leave and the leave salary admissible.

20. Acceptance of service or employment while on leave

(1) A Government servant (other than a Government servant who has been permitted a limited amount of private practice or who has been permitted to undertake casual literary work or service as an examiner or similar employment) while on leave (including leave preparatory to retirement or leave granted beyond the date of retirement or quitting service) shall not take up any service or employment elsewhere, including the setting up of a private professional practice as Accountant, Consultant or Legal or Medical Practitioner, without obtaining the previous sanction of—

(a) Government if the proposed service or employment lies elsewhere than in India; or

(b) the authority empowered to appoint him, if the proposed service or employment lies in India.

(2) (a) No Government servant while on leave, other than leave preparatory to retirement or leave granted beyond the date of retirement, shall ordinarily be permitted to take up any other service or employment.

1 The words are substituted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025. with effect from the 1st January, 1990.

2 The words are added *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025.

3 The words are substituted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025. with effect from the 1st January, 1990.

(b) If grant of such permission is considered desirable in any exceptional case, the Government servant may have his services transferred temporarily from his parent office to the office in which he is permitted to take up service or employment or may be required to resign his appointment before taking up any other service or employment.

(3) (a) In case a Government servant who has proceeded on leave preparatory to retirement is required, before the date of ¹[*superannuation*], for employment during such leave in any post under the State Government in or outside India and is agreeable to return to duty, the unexpired portion of the leave from the date of rejoining shall be cancelled.

(b) The leave so cancelled under clause (a) shall be treated as leave refused and subject to the provisions of rule 67 it may be granted from the date of ¹[*superannuation*] of the Government servant.

(c) Such recall to duty before expiry of leave shall be treated as optional for the purpose of rule 46.

(d) No leave shall be earned in respect of any period of employment during leave preparatory to retirement.

(e) In case a Government servant is employed in any post under the Government of Maharashtra while he is on leave referred to in rule 67 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 restricted to the amount of leave salary admissible in respect of leave on half pay. During such employment he may be granted dearness allowance and compensatory allowance, 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 these allowances.

(4) Government servant on leave preparatory to retirement desiring to take up employment under Government will be given the option of retiring forthwith, or of remaining on leave until he has exhausted the leave admissible to him on condition that so long as he is employed under the Government, leave salary will be restricted to the amount of the pension plus pension equivalent of death-*cum*-retirement-gratuity, admissible to him on retirement. The expression 'employment under Government' includes employment in any office under the Government whether under a State Government or the Central Government.

(5) (a) Where a Government servant is on leave beyond the date of ¹[*superannuation*] as provided in rule 67 and is employed during such leave in

¹ The words are substituted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025.

any post under the State Government or under a local body referred to in clause (a) of sub-rule (3) of rule 66 he may, if he so desires, continue to enjoy his leave concurrently with such employment subject to the maximum limit of ¹[300] days as prescribed in rule 50.

(b) Where a Government servant is on leave preparatory to retirement as provided in rule 66 and is permitted in such leave to take up employment under any other State Government or under the Central Government or under a private employer or an employment payable from a Local Fund or an employment in any independent profession, trade or business such as setting up of practice as a Consultant, Accountant, Lawyer or Doctor, his leave salary should be restricted to the amount of leave salary admissible in respect of leave on half pay. No dearness allowance shall be admissible on leave salary.

(6) Re-employment of a Government servant, in a post other than in his parent department or office is to be treated as involving a “contracting out” of the Government servant’s normal conditions of service and such an employment does not, therefore, attract the protection afforded by rule 27 of Maharashtra Civil Services (General Conditions of Services) Rules, 1981.

21. Carry-forward of leave of temporary Government servant with one year’s continuous service if appointed within six days of relinquishment of the first appointment

Whenever a temporary Government servant with at least one year’s continuous service is appointed to another permanent or temporary post under Government and the interruption in service between relinquishment of the first appointment and joining the second appointment does not exceed six days, all kinds of leave (earned leave, half pay leave, etc.) at his credit in the old post should be credited to his leave account in the new post. The service rendered by him in the old post and in the new post is not to be treated as continuous and cannot therefore be taken into account for any purpose.

22. Leave at credit to cease on removal or resignation

(1) Except as provided in rule 67 and this rule, any claim to leave to the credit of a Government servant, who is dismissed or removed or who resigns from Government service, ceases from the date of such dismissal or removal or resignation, as the case may be.

(2) Where a Government servant applies for another post under the Government but outside his parent office or department and if such application is forwarded through proper channel and the applicant is required to resign his

1 *Vide* Government Notification, Finance Department, No.LVE-2488/395/SER-9, dated 9th November, 1990 in Rule 50 of the MCS (Leave) Rules 1981, for the figures 180 the figures 240 was substituted from 1st January, 1991. *Vide* Government Notification, Finance Department, No.LVE-2401/7/SER-9, dated 5th February, 2001 in Rule 50 of the MCS (Leave) Rules 1981, for the figures 240 the figures 300 was substituted from 1st February, 2001.

post before taking up the new one such resignation shall not be a resignation of public service provided that there is no physical break or if there be any, it does not exceed the joining time admissible under the rule, and shall not result in the lapse of the leave to his credit.

(3) A Government servant, who is dismissed or removed from service but is re-instated on appeal or revision, shall be entitled to count for leave his service prior to dismissal or removal, as the case may be.

(4) A Government servant, who having retired on compensation, or invalid pension or gratuity is re-employed and allowed to count his past service for pension, shall be entitled to count his former service towards leave.

23. Transfer to industrial establishment

If a Government servant governed by these rules is appointed in an industrial establishment wherein his leave terms are governed by the Factories Act, 1948 (63 of 1948), the balance of the leave at his credit on the date of such appointment shall be allowed to be availed of as terminal leave or may lapse, subject to revival as and when he is transferred back to a service or post to which these rules apply.

CHAPTER IV—GRANT OF AND RETURN FROM LEAVE

24. Application for leave

An application for leave or for extension of leave shall be made in Form 1 in Appendix V to the authority competent to grant leave.

25. Leave account

¹[(1)]

(2) In respect of Non-gazetted Government servants and such Gazetted Government servants whose pay and allowances are drawn by means of establishment pay bills, the leave account in Form 2 shall be maintained by the Head of Office.

26. Verification of title to leave

(1) No leave shall be granted to a Government servant until a report regarding its admissibility has been obtained from the authority maintaining the leave account.

(2) The authority competent to sanction leave to a Government servant shall indicate in the orders sanctioning earned leave/half pay leave, the balance of such leave to his credit.

(3) (a) Where there is reason to believe that the obtaining of admissibility report will be unduly delayed, the authority competent to grant leave may calculate, on the basis of available information, the amount of leave admissible to the Government servant and issue provisional sanction of leave for a period not exceeding sixty days.

(b) The grant of leave under this sub-rule shall be subject to verification by the authority maintaining the leave account and modified sanction for the period of leave may be issued where necessary.

²[(c)]

Note.—In the case of leave preparatory to retirement or refused leave, an undertaking for recovery of the leave salary, if any, paid in excess shall be taken from the Government servant.

1 The sub rule (1) is deleted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 1st January, 1990.

2 The clause is deleted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 1st January, 1990.

27. Authority competent to grant leave to Non-gazetted Government servants

Except as provided in rule 43 any leave, other than special disability leave, admissible under these rules may be granted to a Non-gazetted Government servant by the authority whose duty it would be to fill up his post if it were vacant or by any other competent authority.

28. ¹ []

29. Grant of leave to a Gazetted Government servant

Except as provided in rule 43 any leave, other than special disability leave, admissible under these rules may be granted to a Gazetted Government servant by a competent authority.² []

30. Grant of leave and payment of leave salary to a Government servant transferred from one Department/Office to another while on leave.

The grant of leave or extension of leave and payment of leave salary to a Government servant transferred from one Department/Office to another while he is already on leave or in transit from one department to another, shall be regulated as follows :—

³[(a) In cases where leave has already been sanctioned by a Department/ Office and the Government servant concerned is transferred to another Department/Office where he has to join on expiry of the leave, the responsibility to issue of formal orders sanctioning leave and the payment of leave salary for the period up to leave sanctioned to him, shall devolve on the Department/ Office from which he is transferred.

He has to join the new Department / office after the period of leave sanctioned by previous Department/Office. If he wants to apply for extension of leave then process of sanctioning extended leave has to be done by new Department /Office, where he is transferred.

If government servant remains absent without joining new Department / Office, then that period will be treated as unauthorised leave and accordingly the action will be initiated against him.

(b) In case government servant on leave is transferred and he has applied / not applied for leave to the Department / Office, then that original Department / Office should inform new Department / Office that he is on leave and he has applied / not applied. Similarly government servant also should inform to new Department /

1 The Rule is deleted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 1st January, 1990.

2 The word is deleted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 1st January, 1990.

3 The clause is substituted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025

Office about his leave. If he remains on leave without intimation to his original Department / Office and joins to new Department / Office after the date upto which he has informed to original Department / Office about leave, the period of extended leave without informing to original Department / Office will be considered as unauthorised leave and accordingly action will be initiated against him.

(c) In case if a government servant is on leave and he has not applied for leave and he is transferred meanwhile, then he should join original Department / Office instead of new Department / Office. After he is relieved by original Department / Office, he should join the place where he is transferred. His leave without intimation in original Department / Office will be considered as unauthorised leave.]

31. Leave not to be granted in certain circumstances

Leave shall not be granted to a Government servant whom a competent punishing authority has decided to dismiss, remove or compulsorily retire from Government service.

32. Repeated grants of leave on medical certificate within short intervals

When a Government servant applies for repeated grants of leave on medical certificates within short intervals, the attention of the Medical Board/ Government Medical Officer should be drawn to his case with a view to their/ his carefully considering the term of absence necessary for his complete recovery.

33. Production of medical certificate does not confer a right to leave which is not admissible

Every certificate of a Medical Board or a Medical Officer recommending the grant of leave to a Government servant must contain a proviso that no recommendation contained in it, shall be deemed to be evidence of a claim to any leave not admissible to the Government servant under the rules to which he is subject.

34. Appearance before Medical Board

¹[(1) There shall be sixteen Medical Boards for concerned districts(or as amended from time to time) as mentioned in Appendix-X, for medical examination of the candidates who are selected for the State Government Service as per the provisions of Maharashtra Civil Services Rules.

(2) Group "A" and Group "B" Government servants shall be examined by the Medical Board.

(3) Group "C" and Group "D" Government servants shall be examined by the District Civil Surgeon. District Civil Surgeon may refer the candidate to the Medical Board if he feels, opinion of the Medical Board is required.]

¹ The provision is substituted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025.

35. Appearance of a Government servant serving outside the limits of Greater Mumbai before a Medical Board

(1) A Government servant serving outside the limits of Greater *Mumbai* shall normally be required to appear before the Medical Board constituted under rule 34 for the Revenue Division in which he is serving, but, when the authority competent to grant leave is satisfied that it will be more convenient, either to Government or the Government servant, that the latter should appear before the Board constituted for another Division or for *Mumbai*, he may request ¹*[the Chairman of Medical Board or Civil Surgeon of the concerned district or The Superintendent of Hospitals,]* respectively to convene a Board.

(2) A Government servant serving in *Mumbai*, or within the limits of the Greater *Mumbai*, shall be required to appear ²*[before the Board]* constituted for Greater *Mumbai*.

36. ³[Medical Board consist of.—

The Board referred to in rule 34, shall consist of three qualified medical practitioners, of whom one shall be the Dean or Medical Superintendent, Government Medical College, who shall also be the Chairman. For medical examination of female candidate there shall be one female medical officer of Group A shall be the member of the Board, if such female medical officer is not a member then the additional female medical officer of Group A shall be appointed as additional member. The Medical Board shall follow the procedure prescribed under the rules and the guidelines prescribed from time to time under Chapter-19 of the Maharashtra Civil Medical Code, Part I and powers are limited to their districts except sub-rule (1) of rule 35.]

37. Arrangement for assembly of Medical Board

On receipt of intimation from authority competent to grant leave that a Government servant requires to be examined ⁴*[or regularly to be examined by the Chairman, Medical Board or District Civil Surgeon or Superintendent, Gokuldas Tejpal Hospital, Mumbai]* or Dean of J. J. Hospitals shall arrange for the assembly of the Medical Board.

38. Grant of leave to Gazetted Government servant outside district headquarters on Medical certificate of a Registered Medical Practitioner

A Gazetted Government servant serving in places outside district headquarters may be granted leave on medical certificate on the strength of a certificate of a Registered Medical Practitioner countersigned by the Civil Surgeon

1 The provision is substituted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025.

2 The words are substituted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025.

3 The Rule is substituted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025.

4 The sentence is substituted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025.

or the ¹[*District Health Officer*], who may visit the patient if for any reason he considers this course advisable. This rule will only apply when the Government servant requiring leave is too ill, or unable for other reasons regarded as sufficient by his immediate superior, to come to headquarters to undergo examination by the Civil Surgeon or the ¹[*District Health Officer*].

39. No medical certificate to be submitted for countersignature without the cognizance of Head of Office

No certificate should be submitted for countersignature without the cognizance of the Head of the Office in which the applicant is serving.

40. Grant of leave on medical grounds to Gazetted Government servant

(1) Where leave of any kind (together with extension of leave, if any) is asked for on medical grounds, the competent authority may, if he considers it necessary to have a ¹[*opinion of Medical expert*], follow the following procedure :—

(a) if the leave together with extension of leave (if any) asked for is of 2 months' duration or less, he may be asked to obtain a certificate in Form 3 in Appendix V from his Authorised Medical Attendant; or Medical Officer of equal status.

(b) If the leave together with extension of leave (if any) asked for is for more than two months, or if the certificate obtained under clause (a) above so recommends, he may be asked to appear before a Medical Board.

(2) If according to (1) (b) above, appearance before a Medical Board is required, the authority competent to grant leave, shall request the ¹[*Chairman, Medical Board or Civil Surgeon*] of the district in which the Government servant is serving or in which he falls ill or to which he proceeds for treatment to set up a Medical Board. The Government servant shall present himself before the Medical Board with two copies of the statement of his case.

(3) The Medical Board may give the Government servant a certificate to the following effect, namely :—

“We do hereby certify that, according to the best of our professional judgement and after careful personal examination of the case, we consider the health of Shri/Shrimati/Kumari.....to be such as to render leave of absence for a period of absolutely necessary for his/her recovery.

1 The words are substituted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025.

Note.—Where the leave recommended is for more than three months or where the leave for three months or less is extended beyond three months, the Medical Board shall state, at the time of giving this certificate, whether the Government servant should or need not appear before another Medical Board for obtaining the certificate of fitness for return to duty.

(4) Where the Medical Board entertain a doubt, it may, before giving the certificate under sub-rule (3), provide for the keeping of the applicant under professional observation for a period not exceeding fourteen days and give him a certificate to the following effect, namely :—

“Shri/Shrimati/Kumari.....
 having applied to us for a medical certificate recommending the grant to him/her of leave, we consider it expedient, before granting or refusing such certificate, to keep Shri/Shrimati/Kumari under professional observation for.....days.”

(5) If the state of health of the applicant is certified by the Civil Surgeon or ¹[*District Health Officer*] to be such as to make it impracticable for the applicant, for a specified period, to present himself/herself at the place where a Board can be assembled, the authority competent to grant the leave may, in *lieu* of the certificate prescribed in sub-rule (3), accept a certificate signed by any two Medical Officers, not below the rank of a Civil Surgeon.

(6) Notwithstanding anything contained in sub-rule (5) the authority competent to grant leave may dispense with the procedure laid down in sub-rules (2) and (3) when the applicant is undergoing treatment in a hospital as an indoor patient and the leave is recommended by the Medical Officer-in-charge of the case in the hospital not below the rank of a Civil Surgeon for the period of hospitalization or convalescence.

(7) A Medical Officer shall not recommend the grant of leave in any case in which there appears to be no reasonable prospect that the Government servant concerned will ever be fit to resume his duties and in such case, the opinion that the Government servant is permanently unfit for Government service shall be recorded in the medical certificate.

(8) The grant of a medical certificate under this rule does not in itself confer upon the Government servant concerned any right to leave, the medical certificate shall be forwarded to the authority competent to grant leave and orders of that authority awaited.

Note 1.—In Greater [*Mumbai*], certificates from the Police Surgeon, [*Mumbai*], and the Superintendents/Dean of St. George’s, J.J. and G. T. Hospitals, and those signed by the Honorary Medical Staff of these institutions and countersigned

1 The words are substituted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025.

by the Superintendents/Dean may be accepted for purposes of this rule. The Superintendents/Dean of the above Hospitals are empowered to countersign medical certificates from other Registered Medical Practitioners in Greater [Mumbai] or require the applicant to present himself before him for medical examination before countersignature.

Instruction.—In case the leave is for sixty days or less, the last sentence of the medical certificate in Form 3 should be modified by scoring out the irrelevant words. In case the leave is for more than sixty days, the last sentence of the medical certificate should be completely scored out.

Note 2.—Certificate signed by the Medical Officer-in-charge, Cama and Albless Hospitals, [Mumbai], may be accepted for purposes of this rule so far as female Government servants of Gazetted rank in Greater [Mumbai] are concerned.

Note 3.—Certificate signed by the Assistant to the Civil Surgeon, Pune, provided he is an officer of Class I of the Maharashtra Medical and Health Services, may be accepted for the purposes of this rule.

41. Grant of leave on medical grounds to Non-gazetted Government servants

(1) An application for leave on medical grounds made by a Non-gazetted Government servant, shall be accompanied by a medical certificate in Form 4 in Appendix V given by an Authorised Medical Attendant or a Registered Medical Practitioner, defining as clearly as possible the nature and probable duration of the illness.

(2) A Medical Officer shall not recommend the grant of leave in any case in which there appears to be no reasonable prospect that the Government servant concerned will ever be fit to resume his duties and in such case, the opinion that the Government servant is permanently unfit for Government service shall be recorded in the medical certificate.

(3) The authority competent to grant leave may, at its discretion, secure a second medical opinion by requesting a Government Medical Officer not below the rank of a Civil Surgeon, to have the applicant medically examined on the earliest possible date. Non-gazetted female Government servant in Greater [Mumbai] may be examined by the Medical Officer in-charge Cama and Albless Hospital, [Mumbai.]

(4) It shall be the duty of the Government Medical Officer referred to in sub-rule (3) to express an opinion both as regards the facts of the illness and as regards the necessity for the amount of leave recommended and for that purpose he may either require the applicant to appear before himself or before a Medical Officer nominated by himself.

(5) The grant of a medical certificate under this rule does not in itself confer upon the Government servant concerned any right to leave; the medical certificate shall be forwarded to the authority competent to grant leave and orders of that authority awaited.

(6) The authority competent to grant leave may, in its discretion, waive the production of a medical certificate in Form 4 in case of an application for leave for a period not exceeding three days at a time. Such leave shall not be treated as commuted leave and shall be debited against leave other than commuted leave.

42. Grant of leave on medical grounds to a ¹[Group D] Government servant

In support of an application for leave, or for an extension of leave, on medical grounds from a Government servant in ¹[Group D] service, the authority competent to grant the leave may accept such certificate at as may deem sufficient.

43. Leave to a Government servant who is unlikely to be fit to return to duty

(1) (a) When a medical authority has reported that there is no reasonable prospect that the Government servant will ever be fit to return to duty, leave shall not necessarily be refused to such Government servant.

(b) The leave may be granted, if due, by the authority competent to grant leave on the following conditions :—

(i) if the medical authority is unable to say with certainty that the Government servant will never again be fit for service, leave not exceeding twelve months in all may be granted and such leave shall not be extended without further reference to a medical authority,

(ii) if a Government servant is declared by a medical authority to be completely and permanently incapacitated for further service, leave or an extension of leave may be granted to him after the report of the medical authority has been received, provided the amount of leave as debited to the leave account together with any period of duty beyond the date of the report of the medical authority does not exceed six months.

(2) A Government servant who is declared by a medical authority to be completely and permanently incapacitated for further service shall,—

(a) If he is on duty, be invalided from service from the date of relief of his duties, which should be arranged without delay on receipt of the report of the medical authority; if, however, he is granted leave under sub-rule (1) he shall be invalided from service on the expiry of such leave,

1 The word is substituted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025.

(b) If he is already on leave, be invalided from service on the expiry of that leave or extension of leave, if any, granted to him under sub-rule (1).

44. Commencement and termination of leave

Except as provided in rule 45, leave ordinarily begins on the day on which the transfer of charge is effected and ends on the day preceding that on which the charge is resumed.

45. Combination of holidays with leave

(1) When the day, immediately preceding the day on which a Government servant's leave begins or immediately following the day on which his leave expires, is a holiday or one of a series of holidays, the Government servant may be permitted to 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—

(a) his transfer or assumption of charge does not involve the handing or taking over of securities or of moneys other than a permanent advance,

(b) his early departure does not entail a correspondingly early transfer from another station of a Government servant to perform his duties, and

(c) the delay in his return does not involve a corresponding delay in the transfer to another station of the Government servant who was performing his duties during his absence or in the discharge from Government service of a person temporarily appointed to it.

(2) On condition that the departing Government servant remains responsible for the moneys in his charge, the Head of Department may, in any particular case, waive the application of clause (a) of the proviso to sub-rule(1).

(3) Unless the authority competent to grant leave in any case otherwise directs—

(a) if holidays are prefixed to leave, the leave and any consequent rearrangement of pay and allowances take effect from the day after the holidays ; and

(b) if holidays are suffixed to leave, the leave is treated as having terminated and any consequent rearrangement of pay and allowances take effect from the day on which the leave would have ended if holidays had not been suffixed.

Note 1.-A compensatory leave granted in lieu of duty performed by a Government servant on Sunday or a holiday for a full day may be treated as a holiday for the above purpose.

Note 2.- A Government servant who has availed of half days casual leave and then proceeds on leave from the next day shall be allowed to prefix half days casual leave to the leave.

46. Recall to duty before expiry of leave

(1) All orders recalling a Government servant to duty before the expiry of his leave shall state whether the return to duty is optional or compulsory.

(2) Where the return to duty is optional the Government servant shall not be entitled to any concession.

(3) Where the return to duty is compulsory, the Government servant shall be entitled—

(a) if the leave from which he is recalled is in India, to be treated as on duty from the date on which he starts for the station to which he is ordered. And to draw—

(i) travelling allowance under rules made in this behalf for the journey; and

(ii) leave salary, until he joins his post, at the same rate at which he would have drawn it but for recall to duty.

(b) If the leave from which he is recalled is out of India, to count the time spent on the voyage to India as duty for purposes of calculating leave ; and to receive—

(i) leave salary, during the voyage to India and for the period from the date of landing in India to the date of joining his post, at the same rate at which he would have drawn it but for recall to duty,

(ii) a free passage to India,

(iii) Refund of his passage from India if he has not completed half the period of his leave by the date of leaving for India on recall, or three months, whichever is shorter,

(iv) Travelling allowance, under the rules for the time being in force, for travel from the place of landing in India to the place of duty.

Note. – Orders recalling a Government servant from leave out of India should be communicated to him officially through the High Commissioner for India. The orders of recall should state clearly whether the return is optional or compulsory.

47. Return From Leave

(1) A Government servant on leave shall 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-rule (1), a Government servant on leave preparatory to retirement shall be precluded from returning to

duty, save with the consent of the authority competent to appoint him to the post from which he proceeded on leave preparatory to retirement.

(3) ¹[(a) A Government servant who has been granted leave on medical ground, after submission of medical certificate of Registered Medical Practitioner shall be allowed to join and medical certificate of fitness in Form-5 in Appendix-V should be obtained from Medical Board. After receiving certificate from Medical Board decision regarding medical leave shall be taken.]

(b) If the Government servant is a Gazetted Officer, the certificate under clause (a) shall be obtained from a Medical Board except in the following cases :—

(i) cases in which the leave is for not more than three months.

(ii) cases in which leave is for more than three months or leave for three months or less is extended beyond three months, and the Medical Board states, at the time of granting the original certificate or the certificate for extension, that the Government servant need not appear before another Medical Board for obtaining the certificate of fitness.

(c) In cases falling under clause (b), the certificate may be obtained from the Authorised Medical Attendant or a Medical Officer of equivalent status.

(d) In the case of a Non- gazetted Government servant, the authority under whom the Government servant is employed on return from leave may, at his discretion, accept a certificate signed by a Registered Medical Practitioner.

(4) (a) A Government servant 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.

(b) Such Government servant shall report his return to duty to the authority which granted him leave or to the authority, if any, specified in the order granting him the leave and await orders.

Note 1. – A Government servant who had been suffering from tuberculosis may be allowed to resume duty on the basis of fitness certificate ²[issued by Chairman, Medical Board or District Civil Surgeon] which recommends light work for him.

Note 2. – The competent authority should provide for the expected return of Government servants from leave by seeing that the Government servants to be relieved are at headquarters in due time to give over charge.

1 The clause is substituted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025

2 The words are added *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025.

48. Absence after expiry of leave

(1) Unless the authority competent to grant leave extends the leave, a Government servant who remains absent after the end of leave is entitled to no leave salary for the period of such absence and that 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.

(2) Wilful absence from duty after the expiry of leave renders a Government servant liable to disciplinary action.

49. Leave intervening treated as over-stayal

The entire period ¹*[including Saturdays / Sundays and holidays]* intervening between the day on which the leave expires and the day on which the Government servant resumes duty shall be treated as over-stayal.

1 The word is substituted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025.

CHAPTER V—KINDS OF LEAVE DUE AND ADMISSIBLE

50. Earned leave for Government servants serving in departments other than Vacation Department

(1)(a) ¹[The leave account of every Government servant who is serving in a Department other than a vacation Department, shall be credited with earned leave, in advance in two installments of 15 days each on the first day of January and July every calendar year.

(b) The leave at the credit of a Government servant at the close of the previous half year shall be carried forward to the next half year, subject to the condition that the leave so carried forward plus the credit for the half year do not exceed the maximum limit of — ²[300]days.]

(c) Where a Government servant not in permanent employ is appointed without interruption of service substantively to a permanent post his leave account shall be credited with the earned leave which would have been admissible if his previous duty had been rendered as a Government servant in permanent employ.

Note.—The provisions of this clause shall apply to Government servant whose first year of service or any part thereof in temporary capacity was rendered before 1st October 1974, when rate of earning such leave used to be $\frac{1}{2}$ nd of period spent on duty.

(d) A period spent in foreign service shall count as duty for purposes of this rule, if contribution towards leave salary is paid on account of such period.

(2) Subject to the provisions of rule 10 and sub-rules (1) and (3) of this rule, the maximum earned leave that may be granted at a time shall be 120 days.

(3) Earned leave may be granted to a Government servant in ³[Group A or Group B] service for a period exceeding 120 days but not exceeding ⁴[240] days, if the entire leaves so granted or any portion thereof is spent outside India, Bangladesh, Bhutan, Burma, Sri Lanka, Nepal and Pakistan.

1 The clause (a) and (b) of the sub-rule (1) is substituted *vide* Government Notification No. LVE-2488/395/SER-9, dated 9th November, 1990 with effect from 1st January, 1991.

2 For the figures “240” the figures “300” is substituted *vide* Government Notification No. LVE-2401/7/SER-9, dated 5th February, 2001 with effect from 1st February, 2001.

3 For the words are substituted *vide* Government Notification, F.D., No. MCS-2020/C.R. 4/SER-6, dated 28 th January, 2025

4 The figure is substituted *vide* Government Notification No. LVE-2488/395/SER-9, dated 9th November, 1990 with effect from 1st January, 1991.

Provided that where earned leave for a period exceeding 120 days granted under this sub-rule, the period of such leave spent in India shall not in the aggregate exceed the aforesaid limits.

Exception.—When earned leave admissible under these rules is combined with special types of leave, such as T.B. leave or hospital leave, the whole spell of such leave terminating in superannuation (or invalidation) shall not be treated as leave preparatory to retirement for the application of the limits of earned leave admissible under this rule.

51. Calculation of earned leave

¹[(1) *Earned leave shall be credited to the leave account of a Government servant at the rate of 2½ days for each completed calendar month of service which he is likely to render in a half year of the calendar year in which he is appointed.*

(2) (a) *The credit for the half year in which a Government servant is due to retire or resigns from the service shall be afforded only at the rate of 2½ days per completed calendar month upto the date of retirement or resignation.]*

²[(b) (i) *When a Government servant is removed or dismissed from service, earned leave shall be credited to his account at the rate of 2½ days per completed calendar month upto the end of the calendar month preceding the calendar month in which he is removed or dismissed from service.*

(ii) *When a Government servant dies while in service, the earned leave shall be credited at the rate of 2½ days per completed calendar month till his death]*

³[(3) *If a Government servant has availed of extraordinary leave and / or some period of absence has been treated as dies-non in a half year, the credit to be afforded to his leave account at the commencement of the next half year shall be reduced by 1/10th of the period of such leave and / or dies-non subject to maximum of 15 days.*

(4) *While affording credit of earned leave, fractions of a day shall be rounded off to the nearest day.]*

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- 1 The Rule is substituted *vide* Government Notification No. LVE-2488/395/SER-9, dated 9th November, 1990 with effect from 1st January, 1991.
 - 2 The clause (b) of sub-rule (2) so added *vide* Government Notification No. LVE-2488/395/SER-9, dated 9th November, 1990 with effect from 1st January, 1991. is substituted *vide* Government Notification, F.D., No. MCS-2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 11th October, 2011.
 - 3 The Rule is substituted *vide* Government Notification No. LVE-2488/395/SER-9, dated 9th November, 1990 with effect from 1st January, 1991.

52. Vacation Department

A Vacation Department is, subject to the exceptions and to the extent stated in Appendix II, a department or part of a department to which regular vacations are allowed, during which a Government servant serving in the department is permitted to be absent from duty.

53. Government servant holding two appointments

A Government servant holding two appointments, of which one is in a vacation Department and one is not, will not be deemed to serve in a Vacation Department.

54. Earned leave for persons serving in Vacation Departments

(1) A Government servant serving in a Vacation Department shall not be entitled to any earned leave in respect of duty performed in any year in which he avails himself of the full vacation.

(2) (a) In respect of any year in which a Government servant avails himself of a portion of the vacation, he shall be entitled to earned leave in such proportion of 30 days, as the number of days of vacation not taken bears to the full vacation ¹[*however, encashment of that leave is not allowed:*]

Provided that no such leave shall be admissible to a Government Servant not in permanent employ in respect of the first year of his service.

(b) If, in any year, the Government servant does not avail himself of any vacation, earned leave shall be admissible to him in respect of that year under rule 50.

Explanation.—For the purposes of this rule, the term “year” shall be construed as meaning not calendar year but twelve months actual duty in a vacation Department.

Note 1.—A Government servant entitled to vacation shall be considered to have availed himself of a vacation or a portion of a vacation unless he has been required by general or special order of a higher authority to forgo such vacation or portion of a vacation; provided that if he has been prevented by such order from enjoying more than fifteen days of the vacation, he shall be considered to have availed himself of no portion of the vacation.

Note 2.—When a Government servant serving in a Vacation Department proceeds on leave before completing a full year of duty, the earned leave admissible to him shall be calculated not with reference to the vacations which fall during the period of actual duty rendered before proceeding on leave but with reference to the vacations that fall during the year commencing from the date on which he completed the previous year of duty.

¹ The words are added *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025.

(3) Vacation may be taken in combination with or in continuation of any kind of leave under these rules:

Provided that the total duration of vacation and earned leave taken conjunction, whether the earned leave is taken in combination with or in continuation of other leave or not, shall not exceed the amount of earned leave due and admissible to the Government servant at a time under rule 50:

Provided further that the total duration of vacation, earned leave and commuted leave taken in conjunction shall not exceed ¹[300] days.

55. Government servant in Vacation Department liable to be recalled at his own expense

A Government servant serving in a vacation Department, who leaves his place of duty during vacation, is liable to be recalled thereto at his own expense, except when such Government servant had been granted leave with permission to prefix or suffix vacation to his leave.

56. Furnishing of certificate to Audit of non - availment of vacation

It is the duty of the Government servant concerned to furnish a certificate to the ²[Head of Office] along with a copy of the order of the head of his department, that he has not availed himself of a vacation or portion thereof unless he comes under one or other of the general classes specified below.

Note.— The following Government servants are required by general order of Government to perform duties throughout the vacations, viz.—

- (i) Judicial officers under training;
- (ii) Head Clerk, sheristedar or Nazir of a District Court.

57. Government servant precluded from enjoying a part of vacation etc.

In the case of a Government servant who is precluded from enjoying a part of the vacation by reason of his transfer, the time actually spent in travelling from one station to another and not the full joining time admissible under the rules should be added to the period by which he has been prevented from enjoying a vacation by reason of his transfer.

1 *Vide* Government Notification, F.D., No.LVE-2401/7/SER-9, dt. 5th February 2001 the figures “240” substituted with figures ”300” from 1st February 2001

2 The words are substituted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January 2025 with effect from 01st January, 1990

58. Termination of period of service on transfer from Vacation Department to Non-vacation Department

(1) When a Government servant is transferred from a Vacation Department to a Non-vacation Department, his period of service in the former will be considered to have terminated with effect from the close of the last vacation enjoyed by him.

(2) When a Government servant is transferred from a Non-vacation Department to a Vacation Department his period of service in the latter will be held to have commenced from the date of his joining the Vacation Department.

Note.—In the case of a Government servant transferred to a Non-vacation Department during the period of vacation the words “last vacation enjoyed by him” occurring in sub-rule (1) of this rule should be interpreted as referring to the last vacation fully or partly enjoyed by him.

59. Government servant in Vacation Department not entitled to pay if he resigns without previous intimation

(1) A Government servant serving in a department to which regular vacations are allowed, who holds only an acting appointment is not entitled to any pay for the period of vacation, if he resigns the appointment without any previous intimation from the day his office reopens for business after the vacation. Similarly a Government servant serving in a department to which regular vacations are allowed, who joins his appointment from extraordinary leave only a day or two previous to the beginning of the vacation, is not entitled to pay for the period of vacation if he goes again on extraordinary leave without returning to duty on the reopening of his office after vacation.

(2) A Teacher in a Government Secondary School or an Assistant Lecturer in a Government College officiating in, or holding a temporary post created against a post substantively vacant, may be granted pay for the period of a vacation provided his services are dispensed with just before the commencement of the vacation and he has already put in service, of not less than eight months during the academic year concerned.

60. Half pay leave

(1) ¹[(a) (i) The half pay leave account of every Government servant shall be credited with half pay leave in advance, in two instalments of 10 days each on the first day of January and July of every calendar year.

1 *Vide* Government Notification, Finance Department, No. LVE.2488/395/SER-9, dated 9th November, 1990 clause (a), of the sub-rule (1) is substituted from 1st January, 1991.

(ii) The leave shall be credited to the said leave account at the rate of $\frac{5}{3}$ days for each completed month of service which he is likely to render in the half year of the calendar year in which he is appointed.

(iii) The credit for the half year in which a Government servant is due to retire or resigns from the service shall be allowed at the rate of $\frac{5}{3}$ days per completed calendar month upto the date of retirement or resignation.]

¹[(iv) (a) When a Government servant is removed or dismissed from service, the half pay leave shall be credited in his account at the rate of $\frac{5}{3}$ days per completed calendar month upto the end of the calendar month preceding the calendar month in which he is removed or dismissed from the service.

(b) When a Government servant died while in service, the half pay leave shall be credited in his account at the rate of $\frac{5}{3}$ days per completed calendar month till his death.]

²[(v) Where a period of absence or suspension of a Government servant has been treated as dies-non in a half year, the credit to be afforded to his half pay leave account at the commencement of next half year shall be reduced by one-eighteenth of the period of dies-non subject to a maximum of 10 days.

(vi) While affording credit of half pay leave, fraction of a day shall be rounded off to the nearest day.]

(b) The leave due under clause (a) above may be granted on medical certificate or on private affairs :

Provided that in the case of a Government servant not in permanent employ, no half pay leave may be granted unless the authority competent to grant leave has reason to believe that the Government servant will return to duty on its expiry except in the case of a Government servant who has been declared completely and permanently incapacitated for further service by a medical authority.

³[(2)]

1 The sub clause (iv) of clause (a) of sub rule (1) is so substituted *vide* Government Notification, F.D., No. MCS-2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 11th October, 2011.

2 *Vide* Government notification, F.D. No. LVE-2488/395/SER-9, dated 9th November, 1990 sub clause (V) & (VI) of clause (a) of sub rule (1) is substituted with effect of 1st January, 1991

3 *Vide* Government Notification, Finance Department, No. LVE.2488/395/SER-9, dated 9th November, 1990, sub-rule (2) is deleted from 1st January, 1991.

61. Commuted leave

(1) Commuted leave not exceeding half the amount of half pay leave due may be granted on medical certificate to a Government servant subject to the following conditions :—

(a) The authority competent to grant leave is satisfied that there is reasonable prospect of the Government servant returning to duty on its expiry;

(b) When commuted leave is granted, twice the amount of such leave shall be debited against the half pay leave due;

(c) The authority competent to grant leave obtains an undertaking from the Government servant that in the event of his resignation or retiring voluntarily from service he shall refund the difference between the leave salary drawn during commuted leave and that admissible during half pay leave.

(2) Commuted leave upto a maximum of 90 days may be allowed during the entire service (without production of medical certificate) where such leave is utilized for an approved course of study whether full time or part time certified to be in the public interest by the leave sanctioning authority and also for the preparation of the final examination.

(3) Where a Government servant who has been granted commuted leave resigns from service or at his request is permitted to retire voluntarily without returning to duty, the commuted leave shall be treated as half pay leave and the difference between the leave salary in respect of commuted leave and half pay leave shall be recovered :

Provided that no such recovery shall be made if the retirement is by reason of ill-health incapacitating the Government servant for further service or in the event of his death.

¹[(4)(a) If a Government servant is participating in the training of 10 days Vipasyana conducted by Vipasyana Research Institute, Dhamngiri, District Nashik in the centers of the State of Maharashtra ;

(b) if a Government servant is participating in the training of 10 days Yogavidya conducted by the Kaivalyadham, Lonawala at Lonawala and Mumbai,-

a commuted leave maximum of 14 days at one time, may be granted without medical certificate to a Government servant on the following conditions,-

(i) such leave may be granted one time in a three years and maximum upto six times during his entire service,

1 clause 4 (a) added with effect from the 27th June, 2003 and clause 4 (b) added with effect from the 3rd February, 2004 *vide* Government Notification, F.D., No. MCS-2020/C.R. 4/SER-6, dated 28th January, 2025.

(ii) the Government servant shall submit the photo copies of admission letter of the concerned center alongwith leave application and while joining the services he has to submit the joining report alongwith certificate of concerned center,

(iii) the cost of the training will be borne by the concerned Government servant,

(iv) leave cannot be claimed as of right.]

Note.—Commuted leave may be granted at the request of the Government servant even though earned leave is due to him.

62. Leave not due

(1) Save in the case of leave preparatory to retirement, leave not due may be granted to a Government servant in permanent employ subject to the following conditions :-

(a) the authority competent to grant leave is satisfied that there is reasonable prospect of the Government servant returning to duty on its expiry;

(b) leave not due shall be limited to the half pay leave he is likely to earn thereafter;

(c) leave not due during the entire service shall be limited to a maximum of 360 days out of which not more than 90 days at a time and 180 days in all may be otherwise than on medical certificate;

(d) leave not due shall be debited against the half pay leave the Government servant may earn subsequently;

(e) the authority competent to grant leave obtains an undertaking from the Government servant that in the event of his resigning or retiring voluntarily from service without returning to duty, he shall refund the leave salary paid to him.

(2) (a) Where a Government servant who has been granted leave not due resigns from service or at his request permitted to retire voluntarily without returning to duty, the leave not due shall be cancelled, his resignation or retirement taking effect from the date on which such leave had commenced, and the leave salary shall be recovered.

(b) 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 :

Provided that no leave salary shall be recovered under clause (a) or clause (b) if the retirement is by reason of ill-health incapacitating the Government servant for further service or compulsory on attaining the age of 50/55 years or in the event of his death.

63. Extraordinary leave

(1) Extraordinary leave may be granted to a Government servant in special circumstances-

(a) When no other leave is admissible;

(b) When other leave is admissible but the Government servant applies in writing for the grant of extraordinary leave.

(2) Unless Government in view of the exceptional circumstances of the case otherwise determines, no Government servant who is not in permanent employ shall be granted extraordinary leave on any one occasion in excess of the following limits:-

(a) three months;

(b) Six months, where the Government servant has completed three years continuous service on the date of expiry of leave of the kind due and admissible under these rules, including three months extraordinary leave under clause (a) and his request for such leave is supported by a medical certificate as required by these rules;

(c) twelve months, in the case of a Government servant who has completed five years continuous service on the date of expiry of leave due and admissible under the rules including extraordinary leave under (a) and (b) of sub-rule (2) above, if the extraordinary leave is required on account of illness of the Government servant as certified by a Civil Surgeon or Superintendent of Government Hospital, as the case may be;

(d) twelve months, where the Government servant who has completed one year's continuous service is undergoing treatment for cancer, or for mental illness, in an institution recognized for the treatment of such disease or under a Civil Surgeon or a Specialist in such disease;

(e) eighteen months, where the Government servant who has completed one year's continuous service is undergoing treatment for—

(i) pulmonary tuberculosis or pleurisy of tubercular origin, in a recognized sanatorium ;

Note.—The concession of extraordinary leave upto eighteen months shall be admissible also to a Government servant suffering from pulmonary tuberculosis or pleurisy of tubercular origin who receives treatment at his residence as such by the State Administrative Medical Officer concerned and produces a certificate

signed by that specialist to the effect that he is under his treatment and that he has reasonable chances of recovery on the expiry of the leave recommended.

(ii) tuberculosis of any other part of the body by a qualified tuberculosis specialist or a Civil Surgeon, or

(iii) leprosy in a recognized leprosy institution or by a Civil Surgeon or a specialist in leprosy hospital recognized as such by the Director of Health Services;

(f) Twenty-four months, where the leave is required for the purpose of prosecuting studies certified to be in the public interest, provided the Government servant concerned has completed three years continuous service on the date of expiry of leave of the kind due and admissible under these rules, including three months extraordinary leave under clause (a) of sub-rule (2) above.

(3) (a) Where a Government servant is granted extraordinary leave in relaxation of the provisions contained in clause (f) of sub-rule (2), he shall be required to execute a bond in Form 6 in Appendix V, undertaking to refund to the Government the actual amount of that expenditure incurred by the Government during such leave plus that incurred by any other agency with interest thereon in the event of his not returning to duty on the expiry of such leave or quitting the service before a period of three years after return to duty.

(b) The bond shall be supported by sureties from two permanent Government servants having a status comparable to or higher than that of the Government servant.

(4) Government servants belonging to the Scheduled Castes or the Scheduled Tribes may, for the purpose of attending the Pre-Examination Training Course at the centres notified by the Government from time to time, be granted extraordinary leave by Head of Department in relaxation of the provisions of sub-rule (2).

(5) Two spells of extraordinary leave, if intervened by a spell of vacation or by any other kind of leave, shall be treated as one continuous spell of extraordinary leave for the purpose of sub-rule (2).

(6) The authority competent to grant leave may commute retrospectively periods of absence without leave into extraordinary leave.

64. Leave to a probationer, a person on probation and an apprentice

(1) (a) A probationer shall be entitled to leave under these rules as if he had held his post substantively otherwise than on probation.

(b) If, for any reason, it is proposed to terminate the services of a probationer, any leave which may be granted to him shall not extend--

(i) beyond the date on which the probationary period as already sanctioned or extended expires, or

(ii) beyond any earlier date on which his services are terminated by the orders of an authority competent to appoint him.

(2) A person appointed to a post on probation shall be entitled to leave under these rules.

Note.—The probationers in the Registration Department for Sub-Registrar's posts are not eligible for any leave but the period of probation will count as duty if the probationers are subsequently confirmed.

¹["Provided that, for Probationary Officers under Combined Probationary Training Programme no leave (except casual leave) will be sanctioned during complete probation and training period :

Further provided that,—

(1) In case of exceptional circumstances and unavoidable reasons, (due and admissible) Earned leave/ Half-pay leave will be sanctioned to Probationary Officers with the prior sanction of competent authority. But the total period of such leave will not exceed more than 30 days during the complete probation and training period.

(2) Probationary lady officer, will be sanctioned maximum 180 days maternity leave during complete probation and training period.

(3) In case of serious illness/ accident, Probationary Officer will be sanctioned (due and admissible) Earned leave/ Half pay leave/ Commuted leave/ Extra ordinary Leave for the period recommended by the Medical Board.

(4) For Probationary Officers of cadre Deputy Superintendent/ Assistant Commissioner of police undergoing training of Combined Probationary Training Programme, leave will be sanctioned according to the provisions prescribed in the Rule 357 (Part I) of Police Regulations during the training Period in Maharashtra Police Academy, Nashik]

(3) An apprentice shall be entitled to—

(a) Leave, on medical ground on leave salary equivalent to half pay for a period not exceeding 30 days in any year of apprenticeship;

(b) Extraordinary leave under rule 63.

¹ This provision added *vide* Government Notification F.D. No. MCS-2020/C.R. 4/SER-6 dated 28th January, 2025.

Note.—Leave at the credit of a Government servant on the date of his appointment as an apprentice under any Department may be allowed to be carried forward on his appointment to any post on the expiry of the period of apprenticeship.

65. ¹[deleted]

66. Leave preparatory to retirement

(1) A Government servant may be permitted by the authority competent to grant leave to take leave preparatory to retirement to the extent of earned leave due, not exceeding ²[300] days together with half pay leave due, subject to the condition that the total period of leave should not exceed 28 months or such leave does not extend beyond the date of ³[*superannuation*].

(2) A Government servant, who has given notice of retirement after attaining the age of 50 years in the case of Gazetted or 55 years in the case of Non-gazetted or to whom notice has been given by the appropriate authority after attaining the age of 50/55 years, as the case may be, may be granted leave due and admissible to him not extending beyond the date of compulsory retirement, even though such leave extends beyond the date of expiry of the notice:

Provided that a Government servant, who is retired by the appropriate authority by giving him pay and allowances in lieu of notice, may apply for leave within the period for which such pay and allowances were given, and where he is granted leave, the leave salary shall be allowed only for the period of leave excluding that period for which pay and allowances, in lieu of notice have been allowed.

Note.—The leave granted as leave preparatory to retirement shall not include extra-ordinary leave.

(3) (a) Where a Government servant who is on foreign service in or under any local authority or a corporation or company wholly or substantially owned or controlled by the Government (referred to as the local body) applies for leave preparatory to retirement, the decision to grant or refuse such leave shall be taken by foreign employer with the concurrence of the lending authority under the State Government.

1 The rule is deleted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

2 *Vide* Government Notification, F.D., No.LVE-2490/C.R.78/SER-9, dated 9th November, 1990 the figures “180” is substituted by the figures “240” from 1st September,1988 and subsequently *Vide* Government Notification, F.D., No.LVE-2401/7/SER-9, dated 5 February, 2001 the figures “240” is substituted by the figures “300” from 1st February, 2001.

3 The words are substituted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025.

(b) In case the leave is so refused to the Government servant in public interest, it may be availed of by him to the extent admissible under rule 67 from the date of his quitting service.

(c) In case the lending authority under Government is not agreeable to the refusal of leave preparatory to retirement, it shall be granted to the Government servant and if the foreign employer needs the services of the officer during that period, the Government servant may be re-employed by that employer concurrently with leave preparatory to retirement and leave salary regulated in accordance with the provisions of sub-rule (5) of rule 70.

(4) Where a Government servant is on foreign service in or under a local body other than the one mentioned in clause (a) of sub-rule (3), leave preparatory to retirement shall be admissible to him only when he quits duty under the foreign employer:

Provided that where the Government servant continues in service under such foreign employer, the Government servant shall not be eligible for grant of refused leave under rule 67.

67. Leave beyond the date of ¹[superannuation] or quitting of service

(1) Except as provided hereinafter, no leave shall be granted to a Government servant beyond --

- (a) The date of his ¹[superannuation], or
- (b) the date of his final cessation of duties, or
- (c) the date of his resignation from service.

²[(2)]

(3) Where the service of a Government servant, not in permanent employ is 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, he may be granted earned leave to his credit, subject to a maximum of ³[150] days, even though such leave extends beyond the date on which he ceases to be in service. ⁴[]

1 The words are substituted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th Janaury, 2025.
 2 The sub rule is deleted *vide* Government Notification, F.D., No. MCS-2020/CR 4/SER-6, dated 28th Janaury, 2025.
 3 *Vide* Government Notification, F. D., No. LVE 2401/7/ SER-9 dt. 5th February, 2001 for the figures 120, the figures 150 is substituted.
 4 This provision is deleted *vide* Government Notification, F. D. No ELL. 2015/C.R. 22/ SEVA-6 dated 24th June, 2016.

Provided that the leave so granted to such Government servant, other than a Government servant re-employed after attaining the age of ¹[superannuation] does not extend beyond the date on which he attains the age of ¹[superannuation]

68. ²[Cash equivalent of leave salary in respect of earned leave at the credit of a Government Servant at the time of superannuation retirement/ compulsory retirement /voluntary retirement / invalid pension/ resigns or quits service.]

(1) The authority competent to grant leave shall *suo-motu* sanction to a Government servant who retires on attaining the age of superannuation, the cash equivalent of leave salary in respect of the period of earned leave at his credit on the date of his superannuation, subject to a maximum of ³[300].

(2) The cash equivalent of leave salary payable under sub-rule (1) above, shall also include dearness allowance admissible on the leave salary at the rates in force on the date of retirement and it shall be paid in one lump sum, as a one-time settlement

(3) The compensatory local allowance and house rent allowance shall not be included in calculating the cash equivalent of the leave salary under this rule.

(4) From the cash equivalent so worked out, no deduction shall be made on account of pension and pensionary equivalent of other retirement benefits.

(5) ⁴[Subject to the provisions of sub rule (6), a Government servant] who retires from service on attaining the age of compulsory retirement while under suspension shall be paid cash equivalent of leave salary under sub-rule (1) above in respect of the period of earned leave at his credit on the date of his superannuation, provided that in the opinion of the authority competent to order reinstatement, the Government servant has been fully exonerated and the suspension was wholly unjustified.

Note 1.—A Government servant can also avail of as leave preparatory to retirement a part of earned leave at his credit. In that case, he shall be allowed payment of cash equivalent of leave salary for the balance of the earned leave that remains at his credit on the date of retirement in accordance with sub-rule (1) above.

1 The words are substituted *vide* Government Notification, F.D., No.MCS-2020/C.R. 4/SER-6, dated 28th January, 2025.

2 *Vide* Government Notification, F. D., No. ELL 2015/CR-22/ SEVA-6, dt. 24th June, 2016 title is substituted.

3 *Vide* Government Notification, F. D. , No. LVE 2490 /C.R. 78/ SER-9 dated 9th November, 1990 for the figures 180, the figures 240 is substituted with effect from 1st September, 1988 and Subsequently *vide* Government Notification, F. D. , No. LVE 2401 /C.R. 7/ SER-9 dated 5th February, 2001 for the figures 240, the figures 300 is substituted with effect from 1st February, 2001.

4 The words are inserted *vide* Government Notification, F.D., No. LVE 2405/C.R. 14/Seva-8, dated 29th June, 2006 with effect from 1st July, 2006.

Note 2.—With a view to enabling the retiring Government servant to receive cash equivalent of leave salary in respect of the unutilized earned leave without delay, the following procedure shall be followed:

(a) A Government servant nearing the date of retirement on superannuation should inform in writing to the authority competent to sanction him leave, three months in advance of the date of retirement, if he desires to avail of cash equivalent of leave salary in respect of the unutilized earned leave at his credit on the date of his superannuation.

¹[(b)]

(c) In the case of a ²[Gazetted or Non-gazetted] Government servant the competent authority should within 15 days of receipt of intimation from the concerned Government servant, himself arrange to have ascertained the amount of earned leave due and admissible to the credit of the Government servant on the date of superannuation.

(d) The competent authority should after satisfying himself that earned leave, if any, availed of by the concerned Government servant, Gazetted or Non-gazetted, after receipt of his written intimation as in (a) above, is actually deducted from the earned leave due and ¹[] his office, arrange to issue necessary orders sanctioning cash equivalent of leave salary in respect of the unutilized earned leave. This should be done within a week of the date of retirement of the concerned Government servant.

(e) Thereafter, the competent authority should within 15 days after the date of retirement, prefer a bill claiming the cash equivalent of leave salary in respect of the unutilized earned leave to the Treasury.

(f) Payment of cash equivalent of leave salary in respect of the unutilized earned leave at the credit of the Government servant retiring on superannuation, should be made irrespective of whether or not 'No Demand Certificate' from the Audit Office/Department concerned is received.

Note 3.—The cash payment for unutilized earned leave shall be made in the following manner :-

$$\text{Cash payment} = \frac{\text{Pay+Dearness Allowance admissible on date of retirement}}{30} \times \text{No. of unutilized days of earned leave at credit subject to a maximum of } ^3\text{[300] days.}$$

1 The Clause (b) in Note 2 is deleted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/ SER-6, dated 28th January, 2025 with effect from 1st January, 1990.
 2 The words are substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 1st January, 1990.
 3 *Vide* Government Notification, F. D., No. LVE 2490/CR 78/ SER-9 dt. 9th November, 1990 for the figures 180, the figures 240 is substituted from 1st September, 1988 and subsequently *Vide* Government Notification, F. D., No. LVE 2401/CR 7/ SER-9 dt. 5th February, 2001 for the figures 240, the figures 300 is substituted from 1st February, 2001.

¹[(6) (a) The authority competent to grant leave may withhold whole or part of cash equivalent of earned leave in the case of a Government servant who retires from service on attaining the age of retirement while under suspension or while disciplinary or criminal proceedings are pending against him, if in the view of such authority there is a possibility of some money becoming recoverable from him on conclusion of the proceedings against him. On conclusion of the proceedings, he shall become eligible to the amount so withheld after adjustment of government dues, if any.

(b) Where a Government servant is compulsorily retired as a measure of punishment under the provisions of the Maharashtra Civil Services (Discipline and Appeal) Rules, 1979, the authority competent to grant leave shall issue an order granting cash equivalent of leave salary for earned leave, if any, at credit of the Government servant on the date of such retirement, subject to a maximum of three hundred days, in the manner specified in this rule.]

²[(7) The authority competent to grant leave shall *suo-motu* sanction to a Government Servant who retires or is required to retire under rule 10 or rule 65 or who retires under rule 66 of the Maharashtra Civil Services (Pension) Rules 1982, the cash equivalent of leave salary in respect of the period of earned leave at his credit on the date of his retirement subject to a maximum of 300 days, in the manner specified in this rule.]

³[(8) The authority competent to grant leave shall *suo-motu* sanction to a Government Servant who retires or is required to retire on invalid pension, the cash equivalent of leave salary in respect of the period of earned leave at his credit on the date of his retirement subject to a maximum of 300 days, in the manner specified in this rule.]

⁴[(9) The authority competent to grant leave shall *suo-motu* sanction to a Government Servant when Government Servant himself resigns or quits service, cash equivalent of leave salary in respect of the period of earned leave at his credit on the date of cessation of service subject to a maximum of 300 days, in the manner specified in this rule.]

69. Cash equivalent of leave salary in case of death while in service

In case a Government servant dies while in service, the cash equivalent of the leave salary that the deceased employee should have got had he gone on earned leave that would have been due and admissible to him but for the death on the date immediately following the death and in any case, not exceeding leave

1 The sub-rule (6) is added vide Government Notification, F. D., No. LVE 2405 /C.R. 14/ SER-8, dated 29th June, 2006 with effect from 1st July, 2006.

2 The sub-rule (7) is added *vide* Government Notification, F. D., No. ELL 2015/C.R. 22/ SEVA-6 dated 24th June, 2016 with effect from 25th May, 1984.

3 The sub-rule (8) is added *vide* Government Notification, F. D., No. ELL 2015/C.R. 22/ SEVA-6 dated 24 th June, 2016 with effect from 3rd November, 1992.

4 The sub-rule (9) is added *vide* Government Notification, F. D., No. ELL 2015/C.R. 22/ SEVA-6 dated 24th June, 2016.

salary for ¹[300] days, shall be paid to his family without any reduction on account of pension and pension equivalent of death-cum-retirement gratuity.

Note.—In addition to the cash equivalent of leave salary admissible under this rule, the family of the deceased Government servant shall also be entitled to payment of dearness allowance only.

² [69-A.Payment of cash equivalent of leave salary in case of death while in service to his family—

In the event of death of a Government servant while in service, the cash equivalent of the leave salary payable under rule 69 shall be payable,-

(i) to the widow, and if there are more widows than one, to the eldest surviving widow if the deceased was a male Government servant , or to the husband, if the deceased was a female Government servant;

Explanation.—The expression “eldest surviving widow “ shall be construed with reference to the seniority according to the date of the marriage of the surviving widows and not with reference to their ages;

(ii) failing a widow or husband, as the case may be, to the eldest surviving son; or an adopted son;

(iii) failing (i) & (ii) above, to the eldest surviving unmarried daughter;

(iv) failing (i) to (iii) above, to the eldest surviving widowed daughter;

(v) failing (i) to (iv) above, to the father;

(vi) failing (i) to (v) above, to the mother;

(vii) failing (i) to (vi) above, to the eldest surviving brother below the age of eighteen years;

(viii) failing (i) to (vii) above, to the eldest surviving unmarried sister;

(ix) failing (i) to (viii) above, to the eldest surviving widowed sister;

(x) failing (i) to (ix) above, to the eldest surviving married daughter;

and

(xi) failing (i) to (x) above, to the eldest Child of the eldest predeceased son.]

1 *Vide* Government Notification , F. D. No LVE-2490/ CR 78/ SER -9 dated 9th November, 1990 the figures 180 is substituted by figure 240 with effect from 1st September 1988 and subsequently *Vide* Government Notification , F. D. No LVE-2401/ CR 7/ SER -9 dated 5th February, 2001 the figures 240 is substituted by figure 300 with effect from 1st February, 2001

2 This provision was added by Government Notification, F. D. No. LVE 2408/C.R. 10 / SER-8 dated 6 th June, 2008 .

70. Leave Salary

(1) Except as provided in sub-rules (5) and (6), a Government servant who proceeds on earned leave is entitled to leave salary equal to the pay drawn immediately before proceeding on earned leave.

Note.—In respect of any period spent on foreign service out of India, the pay which the Government servant would have drawn if on duty in India but for foreign service out of India shall be substituted for the pay actually drawn while calculating leave salary.

(2) A Government servant on half pay leave or leave not due is entitled to leave salary equal to half the amount specified in sub-rule (1) above.

(3) A Government servant on commuted leave is entitled to leave salary equal to the amount admissible under sub-rule(1) above.

(4) A Government servant on extraordinary leave is not entitled to any leave salary.

(5) A Government servant who is permitted during leave preparatory to retirement, to take up any other service or employment under an employer other than the State Government, his leave salary while on earned leave shall be restricted to the amount of leave salary admissible during half pay leave.

(6) (a) A Government servant who is granted leave beyond the date of ¹[superannuation] or quitting of service, as the case may be, as provided under rule 67, shall be entitled during such leave to leave salary as admissible under this rule.

(b) Where such a Government servant is re-employed during such leave 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, shall be restricted to the amount of leave salary admissible while on half pay leave.

²[(c)].

(7) In the case of person to whom the Employees' State Insurance Act, 1948 (34 of 1948) applies, leave salary payable during leave, other than earned leave, shall be reduced by the amount of benefits payable under the said Act for the corresponding period.

1 The word is substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

2 The clause is deleted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

71. Drawal of leave salary

The leave salary payable under these rules shall be drawn in rupees in India.

72. Advance of leave salary

A Government servant including a Government servant on foreign service, proceeding on leave for a period of not less than 30 days, may be allowed an advance in lieu of leave salary upto a month's pay allowances admissible on that leave salary subject to deductions on account of Income Tax, Provident Fund, House Rent, recovery of advances etc.

73. ¹[]

1 The rule is deleted *vide* Government Notification, F.D., No. LVE.-2401/7/SER-9, dated 5th February, 2001 with effect from 1st February, 2001.

**CHAPTER VI—SPECIAL KINDS OF LEAVE
OTHER THAN STUDY LEAVE**

74. Maternity leave

¹[(1) A Competent Authority may grant to a female Government servant,-

(a) in permanent employ,

(b) not in permanent employ,-

(i) who has at least one year in continuous service; or

(ii) who has in a continuous service for at least 33 months on the work charge establishment or remunerated by piece rates or daily wages,

who has less than two living children on the date of application, maternity leave for a period of ²[one hundred and eighty days] from the date of its application or commencement”.]

³[Note:-This facility is restricted to two living children.]

⁴[(1-A) A female Government servant in permanent employment shall be paid leave salary equal to the pay drawn immediately before proceeding on leave. Such leave shall not be debited to the leave account.;

⁵[(2) *The maternity leave of one hundred and eighty days is permissible to the female servant having joined the Government service through the approved mode of recruitment and restricted to two children, and the leave salary to the extent of salary drawn by such female servant prior to availing the leave. Such a leave shall not be debited from the leave account. However, the said maternity leave and leave salary shall be permissible to the Government female servant having service of less than two years, subject to the terms and conditions as followed :*

(a) *a bond equal to the pay for six months shall be obtained from the concerned female Government servant before sanctioning the maternity leave. Then only, the maternity leave and leave salary shall be made permissible ;*

1 The sub rule (1) is substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 28th July, 1995.

2 The words ninety days are substituted by one hundred and eighty days *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 24th August 2009.

3 The note is added *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28/01/2025 with effect from 24th August, 2009.

4 The sub rule 1-A is added *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

5 The sub rule (2) is substituted *vide* Government Notification, F.D., No. MCS 2020/.CR. 4/SER-6, dated 28th January, 2025 with effect from 15th January, 2016.

(b) it shall be binding for such female Government servant to remain in Government service for minimum two years after joining the service from maternity leave. If such servant intends to relieve or resign from the service before completion of period of two years service or during maternity leave or without resuming the service after maternity leave or after completion of maternity leave, to join any other service where the salary expenditure is not borne from the consolidated fund of the State Government; or, to resign for any other reason, such a female Government servant can resign from the Government service or be relieved after payment of salary equal to the amount paid during the maternity leave availed by her.]

(3) The application for maternity leave should invariably be supported by medical opinion as to the probable date of confinement and an undertaking to the effect that the Government servant shall report the date of confinement supported by a medical certificate. In case of a ¹[Group D]Government servant in which insistence on a regular medical certificate is likely to cause hardship, the authority competent to grant leave may accept such certificate as it may deem sufficient.

²[(4) A female Government servant may be allowed leave of the kind due, for maximum of one year, (including sixty days commuted leave and leave not due), without production of a medical certificate, if she so desires, in continuation of the maternity leave.]

³[(5) (a) In a case of miscarriage or abortion, including abortion induced under the Medical Termination of Pregnancy Act, 1971, a maternity leave of maximum forty-five days is permissible to the female Government servant during her entire service period (without considering the number of children surviving) :

Provided that, the application for the leave is supported by a medical certificate.

(b) If the female Government servant, due to abortion, requires a rest for longer durations the period of absence can be regularised by granting due and permissible leave.

(c) The maternity leave availed earlier shall not be considered while granting the maternity leave due to abortion.]

(6) Heads of Departments may subject to the provisions of this rule, grant to a female Government servant borne on the work-charged establishment

1 The word is substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January 2025

2 The sub rule (4) is substituted *vide* Government Notification, F.D., No. MCS 2020/.CR. 4/SER-6, dated 28th January 2025 with effect from 28th July, 1995.

3 The sub rule (5) is substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January 2025 with effect from 28th July, 1995.

or remunerated by piece rates or daily wages who ¹[has less than two] living children on the date of application, maternity leave for ²[one hundred and eighty days] from the date of its commencement, subject to the provisions of sub-rules (3) and (5) above, subject to the following further conditions :—

(a) She must have put in continuous service for at least 33 months (inclusive of any period of authorised leave) previous to the date of requiring the maternity leave and must furnish a guarantee with at least one security that she will return to duty for a period of at least 6 months after the expiry of the leave if her services are required.

(b) The leave salary admissible shall be equal to the emoluments drawn for the month immediately before proceeding on leave.

³[Note:- This facility is restricted to two living children.]

⁴[74A. Grant of Special Leave to female Government servant for rearing of a child born out of surrogacy.— Rules regarding Grant of special leave to the female Government servant for the rearing of a child borne out of surrogacy have been incorporated in Appendix VI.]

⁵[74B. Grant of special child rearing leave to the Government servant with disabled child.— Rules regarding grant of special child rearing leave to the Government servant with disabled child have been incorporated in Appendix VII.]

⁶[74C. Grant of special leave to female Government servant for adopting child.— Rules regarding grant of Special Leave to female Government servant for adopting child have been incorporated in Appendix VIII.]

⁷[74D. Grant of child rearing leave to Government servant.— rules regarding grant of child rearing leave to Government servant have been incorporated in Appendix IX.]

1 The words are substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 28th July, 1995.

2 The figure is substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 24th August, 2009.

3 The note is added *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 24th August, 2009.

4 The rule is added *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 20th January, 2016.

5 The rule is added *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 21st September, 2016.

6 The rule is added *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 15th March, 2017.

7 The rule is added *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from the 23rd July, 2018 for female Government servant and from the 15th December, 2018 to the male Government servant.

¹[74E. **Special leave for sterilisation operation.**— The Competent Authority shall grant, special casual leave to Industrial and non-Industrial State Government servants who has undergone the sterilisation operation under Family Welfare Programme as per the Government's orders issued from time to time.]

75. Special disability leave for injury intentionally inflicted

(1) The authority competent to grant leave may grant special disability leave to a Government servant (whether permanent or temporary) 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 promptitude in bringing it to notice:

Provided that the authority competent to grant leave may, if it is satisfied as to the cause of the disability, permit leave to be granted in cases where the disability manifested itself more than three months after the occurrence of its cause.

(3) The period of leave granted shall be such as is certified by an Authorised Medical Attendant and shall in no case exceed 24 months.

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

(5) Special disability 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) Special disability leave shall be counted as service qualifying for pension and shall not, except the leave granted under the proviso to clause (b) of sub-rule (7) be debited against the leave account.

(7) Leave salary during such leave shall-

(a) for the first 120 days of any period of such leave, including a period of such leave granted under sub-rule (5), be equal to leave salary while on earned leave, and

(b) for the remaining period of any such leave, be equal to leave salary during half pay leave:

1 The rule is added *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025

Provided that a Government servant may, at his option, be allowed leave salary as in sub-rule (a) for a period not exceeding another 120 days, and in that event the period of such leave shall be debited to his half-pay leave account.

Note.— Leave salary in respect of special disability leave granted to a Government servant who has rendered service under more than one Government may be apportioned between the Governments in accordance with the normal rules.

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

(b) In the case of a person to whom the Employees' State Insurance Act, 1948 (34 of 1948) applies, the amount of leave salary payable under this rule shall be reduced by the amount of benefit payable under the said Act for the corresponding period.

(9) (a) The provisions of this rule shall apply—

(i) to a civil Government servant disabled in consequence of service with a military force, if he is discharged as unfit for further military service, but is not completely and permanently incapacitated for further civil service, and

(ii) to a civil servant not so discharged who suffers a disability which is certified by a medical board to be directly attributable to his service with military force.

(b) In either case, any period of leave granted to such a person under military rules in respect of that disability shall be reckoned as leave granted under this rule for the purpose of calculating the period admissible.

76. Special disability leave for accidental injury

(1) The provisions of rule 75 shall apply also to a Government servant, whether permanent or temporary, who is disabled by injury accidentally incurred in, or in consequence of, the due performance of his official duties 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 civil post which he holds.

(2) The grant of special disability leave in such case shall be subject to the further conditions :—

(a) that the disability, if due to disease, must be certified by an Authorised Medical Attendant to be directly due to the performance of the particular duty;

(b) that, if the Government servant has contracted such disability during service otherwise than with a military force, if must be, in the opinion of the authority competent to sanction leave exceptional in character; and

(c) that the period of absence recommended by an Authorised Medical Attendant may be covered in part, by leave under this rule and in part by any other kind of leave, and that the amount of special disability leave granted on leave salary equal to that admissible on earned leave shall not exceed 120 days.

¹[Provided that, the provisions of the Rights of Persons with Disabilities Act, 2016 (49 of 2016), shall be applicable.]

77. Hospital leave

(1) The authority competent to grant leave may grant hospital leave to—

(a) ²[Group D] Government servant, and

(b) Such ²[Group C] Government servant whose duties involve the handling of dangerous machinery, explosive materials, poisonous drugs and the like, or the performance of hazardous tasks,

While under medical treatment in a hospital or otherwise, for illness or injury, if such illness or injury is directly due to risks incurred in the course of their official duties.

Exception.— The hospital leave may also be granted on account of ill health to Government servants specified below whose duties expose them to special risk of accident or illness even though the illness or injury may not be directly due to risk incurred in the course of their official duties:—

(i) Police officers, including trainees of a rank not higher than that of Head Constable;

(ii) Government servants of the Prohibition and Excise Department other than clerical establishment;

(iii) Forest Subordinates, other than clerks in receipt of pay not exceeding ³[Rs. 18000-56,900.]

(2) Hospital leave shall be granted on the production of medical certificate from an Authorised Medical Attendant.

1 The proviso is inserted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

2 The word is substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

3 The word and figure is substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

(3) Hospital leave may be granted on leave salary equal to that admissible during earned leave or half pay leave and for such period as the authority granting it may consider necessary.

(4) Hospital leave shall not be debited against the leave account and may be combined with any other kind of leave which may be admissible, provided the total period of leave, after such combination does not exceed 28 months.

(5) (a) In the case of a person to whom the Workmen's Compensation Act, 1923 (8 of 1923) applies, the amount of leave salary payable under this rule shall be reduced by the amount of compensation payable under clause (d) of sub-section (1) of section 4 of the said Act.

(b) In the case of a person to whom the Employees' State Insurance Act, 1948 (34 of 1948) applies, the amount of leave salary payable under this rule shall be reduced by the amount of benefit payable under the said Act for the corresponding period.

78. Seamen's sick leave

(1) A Government servant serving as an officer, warrant officer or petty officer on a Government vessel may, while undergoing medical treatment for sickness or injury, either on his vessel or in hospital, be granted leave, by an authority competent to grant leave, on leave salary equal to full pay for a period not exceeding six weeks:

Provided that such leave shall not be granted if a Government medical officer certifies that the Government servant is malingering or that his ill health is due to drunkenness or similar self-indulgence or to his own action in wilfully causing or aggravating the disease or injury.

(2) A seaman disabled in the exercise of his duty may be allowed leave on leave salary equal to full pay for a maximum period not exceeding three months, if the following conditions are fulfilled, namely :—

(a) a Government medical officer must certify the disability ;

(b) the disability must not be due to the seaman's own carelessness or inexperience ;

(c) the vacancy caused by his absence must not be filled.

(3) Such leave is not debited to the leave account.

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

(b) In the case of a person to whom the Employees' State Insurance Act, 1948 (34 of 1948) applies, the amount of leave salary payable under this rule shall be reduced by the amount of benefit payable under the said Act for corresponding period.

79. T.B./Cancer/Leprosy/Paralysis ¹[/Aids] leave

Rules regarding grant of leave to Government servants suffering from T.B./Cancer/Leprosy/Paralysis ²[/ Aids] have been incorporated in Appendix III.

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- 1 The word and sign is inserted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/ SER-6, dated 28th January, 2025 with effect from dated 20th January, 2005.
 - 2 The word and sign is inserted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/ SER-6, dated 28th January, 2025 with effect from dated 20th January, 2005.

CHAPTER VII—STUDY LEAVE

80. Conditions for grant of study leave

(1) Subject to the conditions specified in this chapter, study leave may be granted to a Government servant with due regard to the exigencies of public service to enable him to undergo, in or out of India, a special course of study consisting of higher studies or specialised 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—

(a) for a course of training or study tour in which a Government servant 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 Government from the point of view of public interest and is related to sphere of duties of the Government servant; and

(b) for the purposes of studies connected with the frame work or back ground of public administration subject to the conditions that—

(i) the particular study or study tour should be approved by the authority competent to grant leave, and

(ii) the Government servant should be required to submit, on his return, a full report on the work done by him while on study leave;

(c) for the studies which may not be closely or directly connected with the work of a Government servant, but which are capable of widening his mind in a manner likely to improve his abilities as a civil servant and to equip him better to collaborate with those employed in other branches of the public service.

(3) Study leave shall not be granted unless—

(a) It is certified by the authority competent to grant leave that the proposed course of study or training shall be of definite advantage from the point of view of public interest;

(b) It is for prosecution of studies in subjects other than academic or literary subjects:

Provided that a Medical Officer may be granted study leave for prosecuting a course of post-graduate study in medical sciences, if the Director of Medical Education and Research certifies to the effect that such study shall be valuable in increasing the efficiency of such Medical Officer in the performance of his duties;

(c) the Department of Economic Affairs of the Ministry of Finance, Government of India agrees to the release of foreign exchange involved in the grant of study leave, if such leave is outside 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 Department of Economic Affairs of the Ministry of Finance or by the Ministry of Education, Government of India.

(5) Study leave shall not ordinarily be granted to a Government servant—

(a) who has rendered less than five years' service under the Government;

(b) who is due to retire, or has the option to retire, from the Government 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 a Government servant with such frequency as to remove him from contact with his regular work or to cause cadre difficulties owing to his absence on leave.

Note.— Applications for study leave shall be considered on merits of each case in consultation with the General Administration Department and Finance Department.

81. Maximum amount of study leave

The maximum amount of study leave, which may be granted to a Government servant, shall be—

(a) ordinarily twelve months at any one time, and

(b) during his entire service, twenty-four months in all (inclusive of similar kind of leave for study or training granted under any other rules).

82. Applications for study leave

(1) (a) Every application for study leave shall be submitted through proper channel to the authority competent to grant leave.

(b) The course or courses of study contemplated by the Government servant and any examination which he proposes to undergo shall be clearly specified in such application.

(2) Where it is not possible for the Government servant to give full details in his application, or if, after leaving India he is to make any change in the programme which has been approved in India, he shall submit the particulars as soon as possible to the Head of the Mission or the authority competent to grant leave, as the case may be and shall not, unless prepared to do so at his own risk, commence the course of study or incur any expenses in connection therewith until he receives the approval of the authority competent to grant the study leave for the course.

83. Sanction of study leave

(1) A report regarding the admissibility of the study leave shall be obtained from the ¹[*Concerned Drawing and Disbursing Officer or Head of the Department*]

Provided that the study leave, if any, already availed of by the Government servant shall be included in the report.

(2) Where a Government servant borne permanently on the cadre of one department or establishment is serving temporarily in another department or establishment, the grant of study leave to him shall be subject to the condition that the concurrence of the department or the establishment to which he is permanently attached is obtained before leave is granted.

(3) Where the study leave is granted for prosecution of studies abroad, the Head of the Mission concerned shall be informed of the fact by the authority granting the leave.

Note.— The Head of the Mission shall be contacted by the Government servant for issue of any letters of introduction or for other similar facilities that may be required.

(4) (a) Every Government servant in permanent employ who has been granted study leave or extension of such study leave shall be required to execute a bond in Form 7 or Form 8, in Appendix V as the case may be, before the study leave or extension of such study leave granted to him commences.

(b) Every Government servant not in permanent employ who has been granted study leave or extension of such study leave shall be required to execute a bond in Form 9 or Form 10, in Appendix V as the case may be, before the study leave or extension of such study leave granted to him commences.

(c) The authority competent to grant leave shall send to the ²[*Head of the Department*] a certificate to the effect that the Government servant referred to in clause (a) or clause (b) has executed the requisite bond.

(5) (a) On completion of the course of study, the Government servant shall submit to the authority which granted him the study leave, the certificates of examinations passed or special courses of study undertaken, indicating the date of commencement and termination of the course with the remarks, if any, of the authority in-charge of the course of study.

(b) If the study is undertaken in a country outside India where there is an Indian Mission, the certificates shall be submitted through the Head of the Mission concerned.

1 The words are substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 1st January, 1990.

2 The word is substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 1st January, 1990.

84. Accounting of study leave and combination with leave of other kinds

(1) Study leave shall not be debited against the leave account of the Government servant.

(2) 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 Government servant.

Explanation.— The limit of twenty eight months of absence prescribed in this sub-rule includes the period of vacations.

(3) A Government servant granted study leave in combination with any other kind of leave may, if he so desires, undertake or commence a course of study during any other kind of leave and subject to other conditions laid down in rule 87 being satisfied, draw study allowance in respect thereof :

Provided that the period of such leave coinciding with the course of study shall not count as study leave.

85. Regulation of study leave extending beyond course of study

When the course of study falls short of study leave granted to a Government servant, he shall resume duty on the conclusion of the course of study, unless the previous sanction of the authority competent to grant leave has been obtained to treat the period of shortfall as ordinary leave.

86. Leave salary during study leave

(1) During study leave availed outside India, a Government servant shall draw leave salary equal to the pay (without allowances other than dearness allowance) that the Government servant drew while on duty with Government immediately before proceeding on such leave, in addition to the study allowance admissible in accordance with the provisions of rules 87 to 89.

(2) (a) During study leave availed in India, a Government servant shall draw leave salary equal to the pay (without allowances other than dearness allowance) that the Government servant drew while on duty with Government immediately before proceeding on such leave.

(b) Payment of leave salary at full rate under clause (a) shall be subject to furnishing of a certificate by the Government servant to the effect that he is not in receipt of any scholarship, stipend or remuneration in respect of any part-time employment.

(c) The amount, if any, received by a Government servant during the period of study leave as scholarship, stipend or remuneration in respect of any part-time employment shall be adjusted against the leave salary payable

under this sub-rule, subject to the condition that the leave salary shall not be reduced to an amount less than that payable as leave salary during half pay leave.

(d) No study allowance shall be paid during study leave for courses of study in India.

87. Conditions for grant of study allowance

(1) A study allowance shall be granted to a Government servant who has been granted study leave for studies outside India for the period spent in prosecuting a definite course of study at a recognised institution or in any definite tour of inspection of any special class of work, as well as for the period covered by any examination at the end of the course of study.

(2) Where a Government servant has been permitted to receive and retain, in addition to his leave salary, any scholarship or stipend that may be awarded to him from a Government or non-Government source, or any other remuneration in respect of any part-time employment—

(a) no study allowance shall be admissible in case the net amount of such scholarship or stipend or remuneration (arrived at by deducting the cost of fees, if any, paid by the Government servant, from the value of the scholarship or stipend or remuneration) exceeds the amount of study allowance otherwise admissible.

(b) in case the net amount of scholarship or stipend or remuneration is less than the study allowance otherwise admissible, the difference between the value of the net scholarship or stipend or any other remuneration in respect of any part-time employment and the study allowance may be granted by the authority competent to grant leave.

(3) Study allowance shall not be granted for any period during which a Government servant interrupts his course of study to suit his own convenience :

Provided that the authority competent to grant leave or the Head of Mission may authorise the grant of study allowance for a period not exceeding 14 days at a time during such interruption if it was due to sickness.

(4) Study allowance shall also be allowed for the entire period of vacation during the course of study subject to the conditions that—

(a) the Government servant attends during vacation any special course of study or practical training under the direction of the Government or the authority competent to grant leave, as the case may be; or

(b) in the absence of any such direction, he produces satisfactory evidence before the Head of the Mission or the authority competent to grant leave, as the case may be, that he has continued his studies during the vacation:

Provided that in respect of vacation falling at the end of the course of study it shall be allowed for a maximum period of 14 days.

(5) The period for which study allowance may be granted shall not exceed 24 months in all.

88. Rates of study allowance

¹[The rates of study allowance to be granted to a Government servant who takes study leave in any country, shall be such as may be specially determined by Government in each case.]

89. Procedure for payment of study allowance

(1) Payment of study allowance shall be subject to the furnishing of a certificate by the Government servant to the effect that he is not in receipt of any scholarship or stipend or any other remuneration in respect of any part-time employment.

(2) Study allowance shall be paid at the end of every month provisionally subject to an undertaking in writing being obtained from the Government servant that he would refund to the Government any overpayment consequent on his failure to produce the required certificate of attendance or on his failure to satisfy the authority competent to grant leave about the proper utilization of the time spent for which study allowance is claimed.

(3) (a) In the case of a definite course of study at a recognised institution, the study allowance shall be payable by the authority competent to grant leave, if the study leave availed of is in a country where there is no Indian Mission, and by the Head of the Mission in other cases, on claims submitted by the Government servant from time to time, supported by proper certificate of attendance.

(b) 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 Government servant is undergoing study in an educational institution, or at intervals not exceeding three months if he is undergoing study at any other institution.

(4) (a) When the programme of study approved does not include, or does not consist entirely of, such a course of study, the Government servant shall submit to the authority competent to grant leave direct or through the Head of the 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 or operations to conditions obtaining in India.

(b) The authority competent to grant leave shall decide whether the diary and report show that the time of the Government servant was properly utilised and shall determine accordingly for what period study allowance may be granted.

1 The rule is substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

90. Admissibility of allowances in addition to study allowances

No allowance of any kind other than the dearness allowance and study allowance shall be admissible to a Government servant in respect of the period of study leave granted to him.

91. Travelling allowance during study leave

A Government servant to whom study leave has been granted shall not ordinarily be paid travelling allowance but the Government may in exceptional circumstances sanction the payment of such allowance.

92. Cost of fees for study

A Government servant to whom study leave has been granted shall ordinarily be required to meet the cost of fees paid for the study but in exceptional cases, the Government may sanction the grant of such fees :

Provided that in no case shall the cost of fees be paid to a Government servant who is in receipt of scholarship or stipend from whatever source or who is permitted to receive or retain, in addition to his leave salary, any remuneration in respect of part-time employment.

93. Resignation or retirement after study leave

(1) If a Government servant resigns or retires from service or otherwise quits service without returning to duty after a period of study leave or within a period of three years after such return to duty, he shall be required to refund—

(a) the actual amount, of leave salary, study allowance, cost of fees, travelling and other expenses, if any, incurred by the Government, and

(b) the actual amount, if any, of the cost incurred by other agencies, such as foreign Governments, Foundations and Trusts in connection with the course of study, together with interest thereon at rates for the time being in force on Government loans, from the date of demand, before his resignation is accepted or permission to retire is granted or his quitting service otherwise:

Provided that nothing in this rule shall apply—

(i) to a Government servant who, after return to duty from study leave, is permitted to retire from service on medical grounds ; or

(ii) to a Government servant who, after return to duty from study leave, is deputed to serve in any statutory or autonomous body or institution under the control of the Government and is subsequently permitted to resign from service under the Government with a view to his permanent absorption in the said statutory or autonomous body or institution in the public interest.

(2) (a) The study leave availed of by such Government servant 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.

(b) In addition to the amount to be refunded by the Government servant under sub-rule (1), he shall be required to refund any, excess of leave salary actually drawn over the leave salary admissible on conversion of the study leave.

(3) Notwithstanding anything contained in this rule, the Government may, if it is necessary or expedient to do so, either in public interest or having regard to the peculiar circumstances of the case or class of cases, by order, waive or reduce the amount required to be refunded under sub-rule (1) by the Government servant concerned or class of Government servants.

CHAPTER VIII—MISCELLANEOUS

94. Temporary and officiating service taken into account for leave purposes

Temporary and officiating service, rendered under the Central Government or any State Government, will, if followed by confirmation under the Government of Maharashtra without interruption of duty, be taken into account for the purpose of the leave account provided that under the rules laid down by the other Government such service would have counted had the Government servant in question continued in the service of that Government without a break of service till confirmation and provided that the other Government treats in a similar manner temporary and officiating service rendered under the Government of Maharashtra.

95. Grant of leave to Government servant remunerated partly by fixed pay and partly by honoraria

(1) A Government servant who is remunerated partly by fixed pay and partly by honoraria may be granted such leave as the authority who appoints him may think fit to grant, provided that the authority is able to make satisfactory arrangements for the performance of the absentee's duties and that no extra expense is caused to Government. In such cases the Government servant may be permitted to draw leave salary equal to pay or part of the pay of his post, but the whole of the honoraria shall be paid to the person who officiates in the post.

(2) Rules regulating the grant of leave to Government servants in non-continuous and part time service are contained in Appendix IV.

96. Leave to Boring Mechanics, Mukadams and Trained Coolies

Boring mechanics, mukadams and trained coolies, employed in the Agricultural Department for boring work, may be granted :—

(1) leave up to one-eleventh of the period spent on duty, subject to a maximum of 60 days at a time, on monthly leave allowance equal to the earnings prior to proceeding on leave; and

(2) leave on medical certificate on half the above allowance for a further one-eleventh of the period spent on duty, provided that not less than five years' duty has been done by them.

CHAPTER IX—REPEAL AND SAVING**97. Repeal and Saving**

The corresponding rules in the Bombay Civil Services Rules, 1959, as in force in the State of Maharashtra immediately before the commencement of these rules are hereby repealed in so far as they provide for any of the matters contained in these rules :

Provided that anything done or any action taken under the rules so repealed shall be deemed to have been done or taken under the corresponding provisions of these rules.

A P P E N D I C E S

APPENDIX—I
(See Rule 7)
**Authorities to whom powers under Maharashtra Civil Services (Leave) Rules, 1981,
have been delegated by Government**

Serial No. (1)	Number of Rule (2)	Nature of Power (3)	Authority to whom the power is delegated (4)	Scope (5)	Remarks (6)
1	9 (35)	Power to appoint a Government servant to officiate in a vacant post on which no other Government servant holds a lien.	(i) Any authority which has power to make substantive appointment to the post. (ii) <i>Regional Deputy Directors of Technical Education.</i>	Full powers. Full powers.	
2	9 (35)	Power to— (a) make officiating appointments for four months of ¹ [Group B] Officers and General State Service Officers of equivalent rank; and (b) to transfer officers of the above category; (c) power to notify such orders in the <i>Maharashtra Government Gazette.</i>	All Heads of Departments excluding Regional Heads of Departments.	Full powers.	Subject to the observance of following Conditions— (i) appointments are made in accordance with the Select List approved by Government, (ii) transfers and appointments are intimated to Government within a <i>fortnight</i> of the issue of the orders, (iii) the transfers and appointments are approved by Government within a period of <i>six months</i> from the date of issue or orders, if the appointments ordered by the Heads of Departments are not approved by Government within a period of <i>six months</i> from the date of issue of the orders, they would be automatically rendered invalid. The transfers would, however, continue to be effective, pending receipt of Government's approval,

1 The words are substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

3	9(35)	<p>¹[]</p> <p>(i) Power to grant permission to take up service or accept private employment during leave preparatory to retirement.</p> <p>(ii) Power to grant permission to take up service or accept private employment during leave preparatory to retirement, in the case of a Government servant retrenched on reduction of establishment.</p>	<p>¹[]</p> <p>Heads of Departments.</p> <p>Officer who would have had the power to make appointments to the post if it had not been abolished.</p>	<p>¹[]</p> <p>In respect of Government servants whom they can themselves appoint.</p> <p>.....</p>	<p>(v) except in case where the transfers do not involve change of headquarters, an officer who has put in less than two years' service at the same station should not be transferred without obtaining the prior approval of Government giving special reasons for such transfer,</p> <p>(vi) The appointments, transfers are duly notified in the <i>Maharashtra Government Gazette</i> by the Heads of Departments.</p>
4.	20				

1 The provision is deleted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

5.	27	Power to grant all kinds of leave except special disability leave and study leave to Non-gazetted Government servants.	(1) Authorities competent to make appointments.	(1) Full powers.	The Administrative Departments of the Mantralaya and Heads of Departments may, subject to general orders issued by Government from time to time, redelegate the power to their subordinate Gazetted Officers subject to such conditions as they consider necessary provided the scope of powers so redelegated is the same in respect of all such subordinate officers of the same rank.
6.	29	(i) Power to grant all kinds of leave except special disability leave and study leave to Gazetted Government servants. (ii) Power to grant extension of leave upto one month to all Lecturers, Teachers and Registrars at the Medical ² /Colleges/ in the State of Maharashtra.	(1) Heads of Departments. (2) Regional Heads. ³ [(3) Secretary of the Department.] Director of Health Services.	Upto ¹ [180] days in respect of ² [Group A and B] officers. Upto ¹ [180] days in respect of ² [Group B] Officers subject to the condition that no substitute is appointed during the leave period. ¹ [Full powers.] Provided the persons to whom the leave is granted are not M.M.S. Officers.	..... ..... ³ [(1) Within India. (2) with consultation of General Administration Department and Finance Department for outside India.]

¹ The provision is substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 16th July, 1994.

² The words are substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

³ The provision is added *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 16th July, 1994.

7	43	Power to grant leave to a Government servant who is declared by a Medical Authority to be completely and permanently incapacitated for further service.	Officer competent to sanction his pension.	Full powers.	.....
8	48	Power to extend leave of a Government servant who remains absent after the end of his leave.	The authority which granted the leave.	Full powers provided that the Government servant on leave will on his return be under the authority's administrative control.	.....
9	Note 1 below rule 54.	Power to issue detention orders during vacation.	(i) Director of Technical Education. (ii) Principal, Government Engineering Colleges. (iii) Principal, Government Polytechnics. (iv) Principal Government Institute of Printing and Technology. (v) Principal, College of Pharmacy, Karad. (vi) Principal, Technical Teachers' Training College, Pune.	Full Powers.	.....
10	63(6)	Power to commute retrospectively periods of absence without leave into extraordinary leave.	¹ [Appointing Authority.]	(1) Full powers. ² []	³ Leave may be granted upto 90 days to the servant on temporary post and upto one year to servant on permanent post. however, above this Period, the leave may be granted subject to the following conditions :-

1 The words are substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 2nd June, 2003.

2 The Clause (2) is deleted *vide* Government Notification, F. D. No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 2nd June, 2003.

3 The remarks are inserted *vide* Government Notification, F. D. No. MCS 2020/C.R.> 4/SER-6, dated 28th January, 2025 with effect from 2nd June, 2003.

<p>(1) The servant has completed minimum five years continuous service preceding, the period of absence without leave,</p> <p>(2) If a servant remains absent without leave and intimate by way of application to his office and in the opinion of the Competent Authority the absence is on reasonable grounds the Appointing Authority has to take decision to regulate that period by granting leave due and admissible. If the absence is not on reasonable ground departmental enquiry shall be initiated against that servant,</p> <p>(3) At the final stage of departmental enquiry of such servant, who remains absent without leave is not reasonable, the view shall be taken so as to declare his entire absence as a Dies-non,</p> <p>(4) If a decision has taken to commute the periods of absence without leave into extra ordinary leave / Dies-non, that period shall not be taken into account for any service purpose (including pensionary benefits) and shall be recorded in service book specifically,</p> <p>(5) A departmental or legal enquiry shall not be pending on the grounds of absence without leave,</p> <p>(6) The Competent Authority has satisfy and to certify that the servant has not resigned or not compulsory retired or removed from service or dismissed on the ground of absence without leave,</p> <p>(7) Responsibility shall be fixed on the Competent Authority who has not initiated departmental enquiry against the concerned employee who remains absent without leave.]</p>				
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11	74	Power to grant Maternity leave.	Heads of Offices.	Female pensionable Government servants employed by them.
12	75 & 76	Power to grant special disability leave for injury intentionally inflicted or for accidental injury.	Secretaries of Department.	Full powers.	.....
13	78	Power to grant leave on account of ill-health to officers on Government vessels while undergoing medical treatment.	Any authority competent to grant leave under rule 27 or 29.	Full powers.	.....
¹ [14	79 & Sub-Rule (4) of Rule 8 in Appendix III	Power to grant T. B. / Cancer / Leprosy / Paralysis leave 3 rd time.	Administrative Department of Mantralaya.	Full powers.	Subject to the observance of terms and conditions prescribed in Appendix III of the Maharashtra Civil Services (Leave) Rules, 1981.]
¹ [15	80	Power to grant study leave in India / outside India.	(1) For completion of study in India. Administrative Department of Mantralaya. (2) For completion of study outside India.	Full powers. Full powers.	Subject to the observance of terms and conditions prescribed in Chapter VII of this rules. Subject to the observance of terms and conditions prescribed in Chapter VII of this rules.]

¹ The entry is inserted *vide* Government Notification, F. D. No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 2nd June, 2003.

APPENDIX II

(See rule 52)

List of Government servants serving in Vacation/Non-vacation Department

The following classes of Government servants serve in Vacation Departments when the conditions of rule 52 are fulfilled :--

1. (a) Under the Directorate of Education—

(i) All Heads of Government Educational Institutions belonging to ¹[Group A, B and C].

(ii) ¹[Professors, Assistant Professor, Director, Physical Training, Junior Lecturer, Tabalji, Music Assistant, Harmonium Player in Group A, B and C] as the case may be, in Government Arts, Science, Commerce and Law Colleges.

(iii) Professors, Lecturers, Co-ordinators, Assistant Lecturers etc. in ¹[Group A, B and C .] as the case may be, in Government Training Colleges.

(iv) Physical Instructors in Government Colleges and Secondary Schools.

(v) Laboratory Assistants, Laboratory Attendants in Government Colleges and Secondary Schools.

(vi) Lecturers or other teachers in Government Primary, Middle and Secondary Schools and in Primary Training Institutions and other special Institutions.

(vii) All other staff in Government Institutions excepting those mentioned as belonging to Non-vacation Department.

Note.—The following classes of Government servants should be treated as belonging to a Non-vacation Department :—

(i) Farm Superintendents in Multipurpose High Schools and Agriculture Teacher Supervisors in Agriculture High Schools or the incumbents of similar posts in Agriculture High Schools who are required to do supervision of Agriculture farms and Field Assistants, Field Attendants who are required to do farm work,

(ii) Clerks and other ministerial servants in all Educational Institutions including Colleges,

¹ The words are substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

(iii) Librarians, Assistant Librarians in all Educational Institutions including Colleges,

(iv) Registrars of Government Colleges,

(v) Such ¹[Group D] servants as are attached to the Offices of the Educational Institutions,

(vi) The following ¹[Group D] servants paid from contingencies in Educational Institutions :--

(1) Library Hamals, (2) Laboratory Hamals, (3) Malis, (4) Watchmen, (5) Sweepers, (6) Kamathis or Hamals, (7) Pagis, (8) Farases.

(b) (i) All the posts borne on the Maharashtra Education Service, ¹[Group A, B and C] under the Director of Technical Education requiring teaching instructions of its incumbents.

Note 1.—The Principals and Heads of Institutions under the Director of Technical Education belonging to the Maharashtra Educational Service, ¹[Group A, B and C] should be treated as belonging to Non-vacation Department irrespective of the fact that the incumbents of these posts are also required to do some teaching work.

Note 2.—All the Maharashtra Educational Service, ¹[Group A, B and C] posts, the incumbents of which are not required to do teaching instruction work, should be treated as belonging to Non-vacation Department.

(ii) All the members of the ¹[Group D] service attached to workshops/laboratories should be treated as belonging to Vacation Department.

Note .—The ¹[Group D] servants belonging to the Office of an institution and/or to the institution as a whole should be treated as belonging to Non-vacation Department.

(c) The following posts at Shasakiya Vidya Niketan, Pusegaon, Aurangabad, Dhulia and Amaravati :—

(i) Principal, Maharashtra Education Service, ¹[Group A] (Administration Branch)

(ii) Warden, Maharashtra Education Service, ¹[Group B] (Administration Branch)

(iii) Rector, Maharashtra Education Service, ¹[Group B] (Administration Branch)

¹ The words are substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025
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(iv) Teacher, Maharashtra Education Service, ¹[Group B] (Administration Branch)

(v) Assistant Teacher, Maharashtra Education Service, ¹[Group C] (Administration Branch)

(vi) Part-time Teacher, Maharashtra Education Service, ¹[Group C] (Administration Branch)

(vii) Cook, Maharashtra Education Service, ¹[Group D]

(viii) Assistant Cook, Maharashtra Education Service, ¹[Group D]

(ix) Kitchen Servant. Maharashtra Education Service, ¹[Group D] , Metron, Kamathi, Sweeper, Watchman and Electrician-cum-Water-pump Operator.

(d) The following posts in ¹[Group C and Group D] services in the Institute of Science, ¹[Mumbai], Nagpur, Aurangabad :—

¹[Group C]

[i] Demonstrators [full time]	[xi] Harbarium Assistant
[ii] Demonstrators [part-time]	[xii] Museum Assistants
[iii] Research Assistants	[xiii] Record Keeper
[iv] Foreman	[xiv] Artist-cum-Photographer
[v] Senior Mechanic	[xv] Photo Artist
[vi] Junior Mechanic	[xvi] Senior Technician
[vii] Carpenters	
[viii] Glass Blower	[xvii] Technical Assistants
[ix] Laboratory Assistant	[xviii] Senior Technical Assistants
[x] Field Collectors	[xix] Laboratory Mechanic.

¹[Group D]

[i] Animal Attendant	[iv] Mazdoors in workshop
[ii] Animal Keeper	[v] Laboratory Hamal
[iii] Mazdoors in Laboratories	

Note.—The following posts in ¹[Group C and Group D] Services [i.e. the entire staff of Office, Library and Store and Administrative Assistants of all Departments and Malies of the Botany Department] in the Institute of Science, ¹[Mumbai], are treated as belonging to Non-vacation Department :—

¹ The words are substituted *vide* Govt. Not. No. MCS 2020/C.R. 4/SER- 6, dated 28th January, 2025.

¹[Group C]

- | | |
|---|---------------------------|
| [i] Librarian | [vii] Assistant Librarian |
| [ii] Stores Officer | [viii] Store-keeper |
| [iii] Higher Grade Stenographer | [ix] Steno-typist |
| [iv] Personal Assistant to the Director | [x] Junior Clerks |
| [v] Senior Clerks | [xi] Driver. |
| [vi] Administrative Assistants | |

¹[Group D]

- | | |
|---------------------------------|---------------------------|
| [i] Naik | [vi] Watchman [Stores] |
| [ii] Peons [Office and Library] | [vii] Sweepers [Stores] |
| [iii] Liftman | [viii] Pump Operator |
| [iv] Mali [Botany] | [ix] Mazdoors in Library. |
| [v] Mazdoors in Stores | |

2. Under the Directorate of Medical Education and Research—

[a] Full-time teaching staff working at Government Medical Colleges,

(Except—

- [i] Officer holding the post of Principal of the College,
- [ii] Professor of Pathology,
- [iii] Lecturer in Pathology,
- [iv] Lecturer in Bacteriology,
- [v] Senior-most Junior Lecturer in Pathology and
- [vi] Senior-most Junior Lecturer in Bacteriology at B. J. Medical College at Pune;]

and full-time teaching staff of the Grant Medical College, ¹[Mumbai] ;

(Except—

- [i] Professor of Pathology, Grant Medical College and Pathologist, J. J. Group of Hospitals, ¹[Mumbai],
- [ii] Lecturer in Pathology,
- [iii] Lecturer in Bacteriology and
- [iv] one Junior Lecturer in Pathology.)

Note.—The following full-time teaching staff appointed at Government Dental College and Hospital, ¹[Mumbai] on or after 6th November, 1950, should be treated as belonging to a Non-vacation Department :—

¹ The words are substituted *vide* Govt. Not. No. MCS 2020/C.R.4/SER- 6, dated 28th January, 2025.

[i] Professor of Dentistry and Dental Surgeon;

[ii] Lecturer in Dentistry;

[iii] Full-time Demonstrator in Dentistry.

[b] The staff appointed before 6th November 1950, will be governed by the provisions of rule 52.

3. Under the Directorate of Ayurveda—

[a] The following posts at Government Ayurvedic College, Nanded :—

[i] Lecturer in Anatomy, Bacteriology and Hygiene.

[ii] Lecturer in Dravyaguna and Rasashastra.

[iii] Junior Lecturer in Rog-Nidan.

[iv] Lecturer in Physics, Chemistry and Biology.

[v] Demonstrator in Anatomy.

[vi] Demonstrator in Physiology.

[vii] Demonstrator in Pathology.

[viii] Demonstrator in Dravyaguna and Rasashastra.

[ix] Demonstrator in Physics, Chemistry and Biology.

Note.—the following posts at the Government Ayuervedic College, Nanded, should be treated as belonging to Non-vacation Department:-

(i) Principal-cum- Superintendent.

(ii) Professor in Physiology, Biochemistry and Pathology.

(iii) Lecturer in Clinical Medicine, Pharmacology and Meteria Medica.

(iv) Professor, Sharir and Shalya Shalakyas.

(v) Professor, Doshadhatu Mala Vidnyan and Rog Nidan.

(vi) Professor, Dravyaguna and Rasashastra (Pharmacist).

(vii) Professor in Kayachikitsa.

(viii) Professor in Kaumar Bharitya.

(b) The following posts at the Ramvilas Anandilal Podar Medical College [Aurvedic], ¹[Mumbai] :—

[i] The Lecturers in Anatomy, Physiology and Dravyaguna and the in- charge of the Museum and Botanical Garden;

[ii] Tutor in Anatomy and Lecturer in Sharir Rachana;

¹ The words are is substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

[iii] Demonstrator in Physiology and Biochemistry;

[iv] Demonstrator in Anatomy.

4. Under Judicial Department—

All Judicial Officers and their office establishments including ¹[Group D] Governments servants except District and Sessions Judges, Assistant Judges holding appellate powers, Joint and Additional Sessions Judges and Principal Judge of the City Civil and Sessions Court, ¹[Mumbai].

Note 1.—The Judges and staff of the Labour Courts should be treated as belonging to a Non-vacation Department.

Note 2 .—The posts of Adjudicators [Industrial Tribunals] should be treated as belonging to a Non-vacation Department.

Note 3 .—The Civil Judge-cum-Magistrates should be treated as belonging to a Vacation Department.

Note 4.—The posts of chief Metropolitan Magistrate, Additional Chief Metropolitan Magistrate and Metropolitan Magistrate should be treated as belonging to a Non-vacation Department.

5. Under the Police Department—

Those members of the staff attached to the Police Training College at Nashik, who are allowed regular vacations.

Note.—The Assistant Superintendents of Police, Deputy Superintendents of Police and Language Master at Police Training College, Nashik do not serve in a Vacation Department. But the Inspectors and Sub-Inspectors undergoing training at the College serve in a Vacation Department.

6. ²[Under the Commissionarate of Fisheries—

The staff attached to the Government Fisheries Commissionrate (except Group D staff.)]

7. Under the Maharashtra Institute of Labour Studies, [Mumbai] —

The Director and all other teaching posts in the Maharashtra Institute of Labour Studies, ³[Mumbai]

1 The words are substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

2 The Rule are substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

3 The words are substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

APPENDIX III

(See rule 79)

Rules regarding grant of concessions to Government servants suffering from Tuberculosis/Cancer/Leprosy ¹ [/ Paralysis / Aids]**Rule 1—Scope**

(1) These rules are applicable to all Government servants on regular establishment as well as to the persons employed on workcharged establishment, except staff paid on daily wages and parttime employees.

(2) Temporary Government servant who has put in more than a year's continuous service shall be eligible to the concessions under these rules other than monetary concessions and concessions of T.B. leave on full pay. The monetary concessions and the T.B. leave on full pay will be admissible only to those temporary Government servants who have put in not less than three years' continuous service. Temporary Government servants with less than a year's service are not entitled to any of these concessions.

Note.—Continuous service of one year or three years means services of specified duration under the Government of Maharashtra till the commencement of leave for treatment of T.B.

(3) Government servants suffering from T.B. while they are under suspension are also eligible to these concessions.

(4) These concessions are not available to Government servants suffering from ordinary pleurisy.

Rule 2—Suspectation and examination of the disease

In respect of Government servants serving in ²[*Mumbai*] city and who are suspected of Tuberculosis should be sent for examination and opinion to the J.J. Group of Hospitals or the G.T. Hospital, ²[*Mumbai*]. In respect of Government servants, serving in the mofussil, should be referred to the nearest District Headquarters Hospital. No charge should be made for such examination. The Civil Surgeon, if he considers it necessary, will refer the case to the nearest Government Hospital where proper facilities, including X-Ray, are available, for a thorough examination. No charge will be made for X-Ray, Skiagrams, examinations and laboratory investigations.

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1. The words are substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 20th January, 2005.
 2. The words are substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

Rule 3—Confirmation of the disease and grant of leave

(1) If, after careful consideration, the case is found to be an active one, the Government servant concerned should be granted such leave as is recommended in his case by the Authorised Medical Attendant until he has exhausted all the leave due to him under the Maharashtra Civil Services (Leave) Rules, 1981. When the end of this leave under sub-rule (3) is approaching he should be brought before a Medical Board for report whether there is any likelihood of his return to duty. If the Board reports that he would be fit to resume duty after further treatment he should be granted extraordinary leave for the period recommended by the Board, provided that the total period of continuous absence from duty does not exceed three years, if the Board reports that there is no likelihood of his returning to duty, he should be invalidated.

(2) In the case of a Government servant, who has more than six months' leave due to him, the examination by the Medical Board referred to above should be arranged six months after the commencement of the treatment, but before the expiry of the leave due. In cases where the total leave due is less than six months, such extraordinary leave as is necessary to complete that period may be given pending examination of the patient by the Medical Board.

(3) A Government servant irrespective of the pay drawn, after the expiry of all leave due and admissible to him on full pay be granted T.B. leave on full pay and the leave salary for such T.B. leave should be regulated under normal rules. The total T.B. leave should not exceed one year. After the expiry of this leave, leave on half pay, if due, should be granted in case it is found that a further period of leave is necessary for his recovery. After the expiry of leave on half pay, the Government servant should be placed before the Medical Board for his examination as to his physical fitness for further service and should be granted extraordinary leave recommended by the Medical Board subject to the condition that all leave granted under these rules does not exceed three years. The T.B. leave on full pay should not be debited to the leave account of Government servant.

(4) At places where there are no Medical Boards, the Civil Surgeon may with the sanction of the Director of Health Services convene a Medical Board to examine Government servants suffering from Tuberculosis with the help of two Medical Officers of the Institution where the patient is receiving treatment. The charges for the medical examination of a Government servant suffering from T.B. by a regular or a specially convened Medical Board, should be borne by Government, if the Medical Board is convened at a place it is ordinarily convened. However, if the Medical Board is convened at a place other than the one where it is ordinarily convened, on the request made by the Government servant on ground of health etc., the extra expenditure involved to Government in this respect, e.g. expenditure on travelling allowance of a Medical Officer attending the meeting of the Medical Board, etc., shall be borne by the Government servant concerned.

(5) In order to afford continuity of service to temporary Government servants, gazetted or non-gazetted, who contract Tuberculosis and undergo treatment in a recognised institution established for the treatment of the disease, and to enable them to return to their original posts after treatment, they may, in addition to ¹[earned] and/or half pay leave which may be admissible to them, be granted in relaxation of rule 63 (2) of Maharashtra Civil Services (Leave) Rules, 1981, extraordinary leave upto a maximum period of twelve months on any one occasion, subject to the following conditions :—

(a) the post from which the Government servant proceeds on leave is likely to last till his return to duty;

(b) the extraordinary leave shall be granted subject to the production of a certificate from the Medical Board, specifying the period for which the leave is recommended; and

(c) the Medical Board, in recommending the leave shall bear in mind the provisions of rule 40(7) of Maharashtra Civil Services (Leave) Rules, 1981.

(6) The concession of extraordinary leave up to twelve months shall also be admissible to a temporary Government servant who, for want of accommodation in any of the institutions recognised for the purpose of the concession located at or near the place of his duty, receives treatment at his residence, provided that—

(a) the treatment is under a duly qualified Registered Medical Practitioner; and

(b) he submits a certificate signed by that medical practitioner to the effect that he is under his treatment and that he has reasonable chances of his recovery on the expiry of the leave recommended.

(7) Before the expiry of the maximum limit of extraordinary leave admissible under the rules, the Government servant concerned should be examined by the Medical Board to see whether he is fit to resume duty or should be invalided. If the Government servant is found to have greatly improved, but to be still in need of some more time, say 1 to 3 months, to consolidate the progress and to become fit to resume duties, further leave may be granted subject to the limit of 3 months provided it is certified that he is likely to resume duty by the end of that period.

(8) The Heads of Departments or Offices, as the case may be, should, while placing the Government servant suffering from T.B. before a Medical Board, invariably inform the Medical Board of the period of extraordinary leave already enjoyed by the Government servant concerned in pursuance of the T.B. concessions, and the balance of leave admissible, so as to enable the Medical Board to certify whether the Government servant is likely to be fit before the expiry of the full leave.

1 The word is inserted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4 SER-6, dated 28th January, 2025.

(9) (a) The extraordinary leave availed of by permanent Government servant on account of illness due to Tuberculosis should be counted towards increments subject to the condition that only such extraordinary leave falling during the period of three years commencing from the date of absence from duty will count for increments under rule 39 of the Maharashtra Civil Services (Pay) Rules, 1981.

(b) the extraordinary leave availed of by the temporary Government servant to the extent admissible under the T.B. Concession rules should also be counted for increment if supported by the medical certificate of the competent authority.

Note.—Rules 3(2) and 3(3) be read together. These rules are inconsistent with each other and as such each rule should not be read as an independent rule and interpreted.

¹[Rule 3.A Calculation of Earned Leave :—

(a) In case Government servant is affected by Tuberculosis (T. B.)/ Cancer/ Leprosy/ Paralysis ²[Aids] and special leave is granted to him on full pay and the leave salary for such leave is regulated under normal rules then the credit to be afforded to his leave account at the commencement of the next half year shall be reduced by 1/10 th of the period of such leave subject to a maximum of 15 days ;

(b) While affording credit of earned leave, fraction of a day shall be rounded off to the nearest day.]

Rule 4—Authority competent to grant leave and monetary concessions

The Regional Officer of the Department under whom the Government servant is serving or where there is no Regional Officer, the Head of the Department should be the authority to sanction these concessions for the first time.

Rule 5—Treatment while on leave

(1) While on leave, the Government servant should be required to undergo treatment in a Government Medical Institution, or if he so prefers, place himself for treatment under a competent private medical practitioner or in any of the approved non-Government Tuberculosis Sanatoria or Institutions mentioned below :—

- (a) The Bel-Air Sanatorium, Dalkeith, Panchgani.
- (b) Hillside Sanatorium, Vengurla.
- (c) Wanless Tuberculosis Sanatorium, Wanlesswadi.

1 This rule is inserted *vide* Government Notification No. LVE.2405/ C.R. 16/SER-8, dated 6th December, 2005 with effect from 1st January, 2006.

2 The sign and word is inserted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 1st January, 2006.

- (d) The Nashik Tuberculosis Sanatorium, Mhasrul, Nashik.
- (e) The Group of Tuberculosis Hospitals, Sewree, ¹ [Mumbai]
- (f) The N.M.Wadia Charitable Hospital, Solapur.
- (g) The Talegaon General Hospital and Convalescent Home, Talegaon (Dabhade), District Pune.
- (h) The Shashikala Tuberculosis Sanatorium, Jaysingpur, District Kolhapur.
- (i) The Swastik T. B. Sanatorium, Wai, District Satara.
- (j) The Evangeline Booth Hospital, Ahmednagar, District Ahmednagar.
- (k) K. E. M. Hospital, ¹[Mumbai].
- (l) Dr. Bandorwall Leprosy Hospital, Kondhawa, Pune.

(2) The Medical Officers should have discretion to decide whether a patient should be asked to stay in a hospital or a Sanatorium, or whether he should take treatment while staying outside such institutions under such conditions as may be considered necessary.

(3) Reasonable facilities should also be provided as far as possible, for admission of a Government servant to the existing institutions (*i.e.* Government Hospital or approved non-Government Hospital or Sanatorium), provided he is deemed fit by the Civil Surgeon of the District concerned or the Superintendent, J. J. Group of Hospitals or G. T. Hospital, ¹[Mumbai], for institutional treatment.

Rule 6—Medical examination for physical fitness before resuming duties and grant of concessions.

(1) The Government servant who was suffering from T.B. should be sent to Medical Board for his examination and the certificate regarding his physical fitness should be obtained from the Medical Board before he is allowed to resume his duties under the following conditions :--

(a) that he remains under suitable medical supervision and treatment of a qualified medical practitioner approved by the Government Medical Officer concerned who should maintain a special register of such cases so that the patient may be followed up regularly from time to time in his own interest as well as that of public ²[interest] ;

(b) that the Government servant suspected of Tuberculosis or suffering from “arrested” Tuberculosis shall undergo periodical re-examination by the proper Government Medical Officer and if necessary, by a competent authority in Tuberculosis approved by Government. The re-examination should be done by the Government Medical Officer free of charge.

1 The word is substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

2 The word is substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

(2) (a) For journeys to Government Medical Institutions and back in connection with the medical examination and for treatment, Government servant will be eligible to travelling allowance as on tour as admissible, under the relevant Travelling Allowance Rules, and for the purpose of payment of such travelling allowance his residence shall be treated as his headquarters. Similar travelling allowance will also be granted, if Government servant goes to approved non-Government Tuberculosis Sanatoria or Institutions for treatment.

(b) The attendant, if any, accompanying the patient (Government servant) should be granted actual single fare of the appropriate class in which the patient travels or a lower class by which the attendant actually travels.

(3) In the event of a Government servant suffering from Tuberculosis being declared fit for duty, the department concerned should, wherever possible, give him light duty for another year or so, and also allow him some period for rest daily or occasionally as advised by the Medical Attendant of the Government servant.

Rule 7—Limits of monetary concessions

(1) Government will assist in the payment of the cost of special diet, special medicines and sanatorium charges in case of Government servants with pay not exceeding ¹[Rs.38,600-1,22,800 in 7th pay commission and the Government awarded equal to Time Scale pay time to time in the next pay commission] per mensem, when they are admitted as paying patients (and not against free beds reserved by Government) to private approved sanatoria or hospitals upto the following monetary limits :—

(a) ²[Rs.500] per mensem for sanatorium charges (which includes charges for ordinary accommodation, ordinary diet and ordinary medicines) or at the rate actually paid by the patients, whichever is less;

(b) An allowance of ²[Rs. 1000] per mensem during the period of high prices towards the cost of special diet, if any, prescribed by the Medical Superintendent of the Sanatorium; and

(c) A Government servant should be allowed reimbursement of medical expenses incurred by him on account of special medicines (excluding those included in the list of inadmissible medicines) under the Maharashtra State Services (Medical Attendance) Rules, 1961. Government servant should also be allowed reimbursement of expenditure incurred by him on account of P.P. sputum examination, blood test, injections and operations etc. at the private approved sanatoria or hospitals.

1 The word and figure is substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/ SER-6, dated 28th January, 2025.

2 The word and figure is substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/ SER-6, dated 28th January, 2025.

(2) A Government servant who cannot be accommodated either in a Government Hospital where proper facilities for the treatment of T.B. exist or in a reserved bed in one of the private T.B. Sanatoria where Government has reserved beds for the free treatment of Government servants and who is allowed to take treatment in a non-Government Sanatorium or Hospital or under a private medical practitioner, shall be entitled to the following concessions :—

(a) In case of a Government servant whose pay does not exceed ¹[Rs.38,600-1,22,800 in 7th pay commission and the Government awarded equal to Time Scale pay time to time in the next pay commission] per mensem the expenses on Hospital or Sanatorium charges, special diet and special medicines subject to the limits mentioned in sub-rule (1).

(b) In case of a Government servant whose pay exceeds ¹ [Rs.38,600-1,22,800 in 7th pay commission and the Government awarded equal to Time Scale pay time to time in the next pay commission] per mensem, only charges on medicines included in the latest National Health Formulary of the United Kingdom but not exceeding the limit mentioned in sub-rule (1) (c) above.

(c) A Government servant undergoing treatment under private medical practitioner or as out-patient at Government Hospital or recognised private institution should be granted the concessions subject to the following conditions:—

(i) The Medical Officer, i.e. the Civil Surgeon or the Superintendent of Government Hospital should certify that the Government servant can take treatment of such medical practitioner under such conditions as he considers necessary.

(ii) The Medical Officer who has examined the Government servant should, as far as possible, try to secure him admission in a Government hospital and at the same time furnish him with a list of approved sanatoria or institutions, so that the patient may also on his own seek admission to one of them.

(iii) The necessary vouchers for the special medicines purchased by the patient for himself should be produced and countersigned by the Medical Practitioner or the authorities of the Institutions concerned, as the case may be.

(3) The allowance for special diet at the rate of ¹[Rs. 1000]p.m. or equal to the actual expenditure incurred, whichever is less, should be granted subject to the condition that declaration as stated below is given by the patient and is countersigned by the Medical Attendant :—

¹ The word and figure is substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

I hereby declare that, I Shri/Smt./Kum.
was under the treatment of Dr.for
tuberculosis, and under his advice, I have taken special diet, such as
for which I have incurred an expenditure of Rs.....for the period from
.....to.....

(4) A Government servant taking treatment as indoor patient in Government Institution should be granted monetary concessions towards items on which he has incurred expenditure, subject to the maximum laid down in sub-rule (1) provided he produces necessary vouchers and certificates in support of his claim.

Note.—The requirement in regard to production of vouchers for special diet shall be waived provided a declaration is given by the Government servant concerned that he has taken special diet of the value of ¹[Rs. 1000] per month.

(5) A Government servant who was suffering from Tuberculosis and who has been declared fit to resume duties should be granted the following monetary concessions :—

(a) ¹[Rs.600] per month for extra diet. This is available for a period of one year with effect from the date of the Government servant resuming duty, subject to the conditions that the extra diet, medicines and tonics are recommended by the Civil Surgeon or the authorities of the hospital in which he was taking treatment and subject to the production of necessary vouchers in support of his claims.

(b) The Heads of the Departments while granting the concessions, should insist on the certificate of the Civil Surgeon or the authorities of the hospital in which the Government servant was taking treatment recommending extra diet, medicines and tonics. On the production of vouchers for medicines and tonics, a declaration given by the Government servant concerned that he has taken extra diet of the value of ¹[Rs.300] per month in place of vouchers for extra diet, should suffice.

(6) The expenditure on account of monetary concessions extended under these rules should be debited to the appropriate budget head to which the cost on account of the general administration of the department concerned is debited under the object of expenditure “Salaries”.

Rule 8—Authority competent to grant the concessions second or third time

(1) A Government servant suffering from T. B. and declared fit to resume duty on expiry of leave, should report for periodical check-up at the nearest Civil Hospital where there is X-Ray facility or at the recognised sanatorium where

¹ The word and figure is substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/ SER-6, dated 28th January, 2025.

free beds are reserved for Government servants. His periodical check-up should be done till the specialist examining the patient considers that such check-up is necessary in his case and not indefinitely. The expenditure on account of the travelling allowance of such Government servant should be borne by Government.

(2) A Government servant having once availed of T.B. concessions and having been certified to be fit for duty after treatment, may be granted these concessions if he contracts T.B. again.

(3) The Heads of Departments under whom the Government servant is serving shall be the authority to sanction these concessions for the second time. The vouchers required to be produced under rule 7(4) should be submitted to the Head of the Department in order to enable him to authorise the concession. It is not necessary to attach these vouchers to the bills presented at the Treasury.

(4) If the concessions are to be sanctioned for the 3rd time after producing the necessary certificate from the Authorised Medical Attendant that the Government servant has scrupulously followed the provisions in rule 6(1) and that it is still necessary to grant him T.B. concessions for the 3rd time, such cases should be referred to Government.

(5) The T.B. concessions should not be granted to a Government servant for the 4th time and that the Government servant asking for the concession for the 4th time should be placed before the Medical Board for invalidation.

Rule 9—Re-employment of ex-T.B. patients in Government service

(1) The ex-T.B. patient who was once in Government service but was discharged on account of his affliction with T.B. will be eligible for re-employment provided he has been declared non-infective and medically fit for Government service by a T.B. specialist or a medical authority authorised in this behalf by Government.

Note.—The authority to declare ex-T.B. patients as non-infective and medically fit for Government service should be a Medical Board. The Civil Surgeon/District Medical Officers in-charge of the Civil Hospitals, Superintendents of Medical Institutions in ¹[*Mumbai*] and Superintendents of Government T.B. Sanatoria including Superintendent, Hospital for the Diseases of Chest, Camp Aundh, Pune, are authorised to convene a Medical Board for the examination of the ex-T.B. patients and for issue of fitness certificates to them.

(2) Such a Government servant will be eligible for re-appointment to the posts previously held by him if vacancies exist or to equivalent posts in his own Department, the usual condition of age limit not being enforced in his case.

(3) Such a Government servant will be eligible for re-appointment by the Department concerned without the intervention of the Selection Board or the Employment Exchange as the case may be, whenever there are suitable vacancies.

1 The word are substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January 2025.

(4) If such a Government servant cannot be re-employed in the Department concerned for want of vacancies, employment assistance to him will be rendered by the Selection Board or the Employment Exchanges as the case may be. For this purpose as also for purposes of age relaxation he will be treated as transferred Government employee.

(5) On his re-employment in the same post from which he was discharged; the actual previous service rendered by him should be treated as qualifying service for purposes of pension and seniority and for purposes of pay and he should be placed in the same position in which he was at the time of his discharge from service. The break in service between the date on which he was discharged from service and the date of his re-employment would itself, however, be regarded as continuous. The seniority of such a person re-employed in other post will be fixed in consultation with General Administration Department and his pay fixed in consultation with the Finance Department.

(6) On re-employment he will not be required to undergo a fresh medical examination if he had been medically examined on his first appointment. He will however, have to undergo the usual medical examination before confirmation, if otherwise necessary.

(7) In a case in which he is re-employed in a post direct appointment to which can be made only in consultation with the Maharashtra Public Service Commission, the Commission will be consulted as usual. For this purpose his available record will be referred to the Commission. The Commission, if they also consider necessary, may interview him and his actual appointment will be made only after the Commission has certified him to be suitable for appointment to the post in question.

Rule 10—Re-employment of Government servant who retires on invalid pension on account of affliction with T.B.

(1) Whenever a Government servant who retires on invalid pension being incapacitated for further service on account of the affliction with T.B. is re-employed being cured of the disease—

(a) his pay on re-employment will be regulated according to relevant provisions of the Pension rules.

(b) he will not be required to undergo a fresh medical examination under rule 15 (1) of Maharashtra Civil Services (General Conditions of Services) Rules, 1981 ; and

(c) the leave standing to his credit will be carried forward as provided in rule 22 (4) of the Maharashtra Civil Services (Leave) Rules, 1981.

(2) The concessions mentioned in rule 9 and sub-rule (1) above are applicable to Government servants who were in service but were discharged on account of their affliction with T.B. Pleurisy, as distinguished from ordinary pleurisy. They are also applicable *mutatis mutandis* to those who were in service but were discharged on account of their affliction with leprosy.

Rule 11—Extension of T.B. concessions to Government servants suffering from Cancer, Leprosy, ¹[Paralysis or Aids.]

Government servant who has put in not less than 3 years continuous service and suffering from leprosy/cancer ¹[Paralysis or Aids.] should be granted the concessions regarding T.B. leave on full pay admissible under sub-rule (3) of rule 3 of these rules and the monetary concessions admissible under rule 7. They should also be granted the special diet allowance of ²[Rs.1000] p.m. or equal to actual expenditure incurred, whichever is less, even if they are not required to be on leave as per the rules in force from time to time. The special diet allowance should be for a period of one year or till the Authorised Medical Attendant recommends, whichever is earlier. They should also be granted travelling allowance for their journeys to Government Medical Institutions and back in connection with the medical examination and for treatment as per the provisions of these rules.

Rule 12—Grant of concession dependant only on restricting family size.

These concessions will not be available to those Government servants who do not restrict their family size to 3 living children, if they have less than 3 children or to their present size if they have more than 3 living children as on 15th August 1968 :

Provided that such Government servants who become disentitled to these concessions on account of the contravention of the directions issued in this rule, they should become re-entitled if the Government servant or the spouse being, in the reproductive group, thereafter undergoes sterilisation and produces a certificate to that effect by competent Medical Authorities in charge of the Hospital or Dispensary where the sterilisation operation has been performed. The Head of office should furnish the following certificate while sanctioning the concessions to the Government servant.

1 The words are substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

2 The word and figure is substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

CERTIFICATE

Name of the Department

Certified that Shri /Smt.

after contravention of the orders issued in rule 12 has produced a medical certificate that he/she/his wife/her husband has undergone the sterilisation operation as required in the proviso to rule 12. He /She is eligible for the concession admissible under the rules regarding T.B. concessions to Government servant.

Head of Office

Seal of Office

Rule 13—Cessation of concessions on retirement

The concessions available under these rules shall, in any case, cease when the Government servant retires from Government service.

APPENDIX IV

(See rule 95)

Rules regulating the grant of leave to Government servants in non-continuous and part-time service

[]

Leave rules applicable to Government servants in non-continuous and part-time service

4. No leave, except on half pay, shall be granted to the following :—

(i) Part-time lecturers in regional languages;

(ii) Part-time Professors and lecturers in the Medical Department who are remunerated wholly by pay.

(iii) Part-time staff employed in the several offices under the Commissioner of Labour, ²[Mumbai].

(iv) Part-time Professors, Assistant Professors, Lecturers and teachers.

5. Half pay leave admissible under rule 4 shall be allowed at the rate of 15 days for each year of duty.

Note 1.—The term “each year of duty” in this rule means a year comprising of 365 days of actual duty which may spread over a number of months.

Note 2.—Part-time Demonstrators in Government Medical College in pre-clinical subjects of Physiology, Anatomy and also in the Department of Pharmacology and Preventive and Social Medicine and Pathology are not entitled to half pay leave.

6. The maximum amount of half pay leave to be granted at any one time under rule 4 shall be limited to ninety days on condition that such leave has been earned.

7. Officers serving in the Vacation Department will be allowed to prefix or affix half pay leave to a vacation but not both. They will be allowed full pay during vacation, which will be counted as duty, provided that no extra expenditure is thereby caused to Government.

Note.—In case where a Government servant has been allowed to prefix half pay leave to a vacation but is unable to resume duties for the circumstances

1 The Heading and rule 1, 2, and 3 is deleted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

2 The words is substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

beyond his control, the competent authority, on the merits of the case, and at its discretion, condone such an irregularity, as a special case.

8. Half pay leave will also be granted to officers mentioned in clauses (ii) of rule 4 if taken elsewhere in India, Sri Lanka, Nepal, Burma or Aden for purposes of study on the conditions that they will undertake to continue to serve Government on return from half pay leave for a period upto a maximum of five years if so desired by them and that in the event of default they shall re-imburse to Government all amounts received by them during the period of half pay leave.

9. The half pay leave shall, in no case, extend beyond the tenure of the appointment.

10. Half pay leave cannot be claimed as of right.

**Leave rules applicable to Government servants
remunerated by honoraria.**

11. Except as provided for in rule 74 (6) a Government servant remunerated by honoraria, may be granted leave on the terms laid down in rules 4 to 10 above, provided that he makes satisfactory arrangements for a performance of his duties, that no extra expense is caused to Government and that during leave of the kind contemplated in rule 95, the whole of honoraria is paid to the person who officiates in his post.

Exception.—This rule does not apply to Honorary Professors and Honorary Lecturers in the Medical Department.

APPENDIX V**Forms****FORM 1***(See rule 24)***Application for leave or for extension of leave**

1. Name of applicant ..
2. Post held ..
3. Department, Office and Section ..
4. Pay ..
5. House rent and other compensatory allowances drawn in the present post.
6. Nature and period of leave applied for and date from which required.
7. Sundays and holidays, if any, proposed to be prefixed/suffixed to leave.
8. Grounds on which leave is applied for.
9. Date of return from last leave, and the nature and period of that leave.

[10]

11. Address during leave period ..

12.*In the event of my resignation or voluntary retirement from service, I undertake to refund :-

(i) the difference between the leave salary drawn during 'commuted leave' and that admissible during half pay leave, which would not have been admissible had sub-rule (1) of rule 61 not been applied.

(ii) the leave salary drawn during 'leave not due' which would not have been admissible had sub-rule (1) of rule 62 not been applied.

¹ The entry is deleted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

13. *I certify that I do not have ¹[more than two] living children on the date of this application.

Signature of Applicant
(with date)

(*Score out whatever be not applicable)

14. Remarks and/or recommendation of the Controlling Officer.

Signature (with date)
Designation.

²[]

²[15]

16. *Orders of the authority competent to grant leave.

Signature (with date)
Designation.

*If the applicant is drawing any compensatory allowance, it should also be indicated in the orders whether on the expiry of leave, the Government servant is likely to return to the same post or to another post carrying similar allowance.

1 The words are substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.
2 The entry is deleted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

(On Private Affairs and M. C. including commuted leave and leave not due)

TAKEN																
Committed leave on medical certificate on full pay			Committed leave W/O M.C. for studies certified to be in public interest limited to 180 days (H.P.L. converted into 90 days commuted leave in entire service).			Committed leave converted into half pay leave (Twice of Cols. 22 & 25)			LND Limited to 360 days in entire service							
From	To	No. of days	From	To	No. of days	From	To	No. of Days	On medical certificate	Otherwise than on M.C. limited to 180 days	Total of leave not due (Col. 29+32)	Total half-pay leave taken (Col. 19+26+33)	Balance of half-pay leave on return from leave (Col. 16-34)	Other kind of leave taken		
20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36

NOTE 1.—The Earned Leave due should be expressed in days.

NOTE 2.—When a Government servant is appointed during the course of a half-year of a particular calendar year, earned leave should be credited at the rate of 2 ½ days for each completed calendar month and the fraction of a day will be rounded to the nearest day.

NOTE 3.—The entries in column 6 should be in completed days. Fraction of a day will be rounded to the nearest day.

NOTE 4.—Period of extraordinary leave should be noted in red ink.

Appendix V]

Form 3

(See rule 40)

Medical certificate for Gazetted Officers recommended leave or extension of leave or commutation of leave

Statement of the case of

Name (to be filled in by the applicant in the presence of the Civil Surgeon or ¹[*Authorised Medical Officer.*])

Appointment held

Age

Total Service

Previous periods of leave of absence on medical certificate

Habits.....

Disease.....

I
 Civil Surgeon/Medical Officer of
 after careful personal examination of the case hereby certify that
 Shri/Smt./Kumari
 is in a bad state of health and [solemnly and sincerely declare that according
 to the best of my judgement a period of absence from duty is essentially
 necessary for the recovery of his/her health and recommend that he/
 she may be granted leave forwith effect from

*In my opinion it is/it is not necessary for the officer to appear before a
 Medical Board.

Dated ¹[*Authorised Medical Officer.*]

Note 1.—Where the period of leave initially recommended or the period of
 leave initially recommended together with any extension thereof subsequently
 recommended, does not exceed *two months*, the Medical Officer should invariably
 certify whether in his opinion it is or it is not necessary for the Government
 servant to appear before a Medical Board.

*This sentence should either be modified by scoring out the irrelevant words
 or altogether scored out according as the period of leave recommended is upto two
 months or exceeds that period.

¹ The words are substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6,
 dated 28th January, 2025.

Note 2.—This form should be adhered to as closely as possible and should be filled in after the signature of the Government servant has been taken. The certifying officer is not at liberty to certify that the Government servant 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/her fitness for service.

Note 3.—No recommendation contained in this certificate shall be evidence of a claim to any leave not admissible to the Government servant.

Appendix V]

FORM 4

(See rule 41)

Medical certificate for Non-Gazetted Officers recommended leave or extension of leave or commutation of leave

Signature of Government servant

I, after careful personal examination of the case hereby certify that Shri/Shrimati/Kumari whose signature is given above is suffering fromand I consider that a period of absence from duty ofwith effect from..... is absolutely necessary for the restoration of his/her health.

¹[Authorised Medical Officer],
Hospital/
 Dispensary or other Registered
 Medical Practitioner.

Dated

Note 1.—The nature and probable duration of the illness should be specified.

Note 2.—This Form should be adhered to as closely as possible and should be filled in after the signature of the Government servant has been taken. The certifying Officer is not at liberty to certify that the Government servant 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 Civil Surgeon to decide the question of his/her fitness for service.

Note 3.—Should a second medical opinion be required, the authority competent to grant leave should arrange for the second medical examination to be made at the earliest possible date by a medical officer not below the rank of a Civil Surgeon who shall express an opinion both as regards the facts of the illness and as regards the necessity for the amount of leave recommended and this purpose he may either require the Government servant to appear before himself or before a medical officer nominated by himself.

Note 4.—No recommendation contained in this certificate shall be evidence of a claim to any leave not admissible to the Government servant.

¹ The words are substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

FORM 5

(See rule 47)

Medical certificate of fitness to return to duty

Signature of Government servant

We the members of Medical Board

I, Civil Surgeon/

¹[*Authorised Medical Officer*], of.....

Resident Medical Practitioner,

do hereby certify that we/I have carefully examined Shri/Shrimati/Kumari

.....
whose signature is given above, and find that he/she has recovered from his/her illness and is now fit to resume duties in Government service. We/I also certify that before arriving at this decision, we/I examined the original medical certificate(s) and statement(s) 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.

Members of the Medical Board

(1).....

(2).....

(3).....

Date

Civil Surgeon/

¹[*Authorised Medical Officer*],

Registered Medical Practitioner

Note.—The original medical certificate(s) and statement(s) of the case on which the leave was originally granted or extended shall be produced before the authority required to issue the above certificate. For this purpose, the original certificate(s) and statement(s) of the case should be prepared in duplicate, one copy being retained by the Government servant concerned.

1 The words are substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

Appendix V]

FORM 6

(See rule 63)

Bond for temporary Government servant granted extraordinary leave in relaxation of rule 63 (3) (a) for study leave in India or abroad

KNOW ALL MEN BY THESE PRESENTS THAT WE resident of in the District ofat present employed as in the Department/Office of (hereinafter called “the Obligor”) and Shri/Shrimati/Kumarison/daughter of ofand Shri/Shrimati/Kumari son/daughter of of (hereinafter called the sureties) do hereby jointly and severally bind ourselves and our respective heirs, executors and administrators, to pay to the Governor of Maharashtra, his successors and assigns (hereinafter called the “Government”) on demand the sum of Rs.....

(Rupees.....) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or, if the 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 between attorney and client and all charges and expenses that shall or may have been incurred by the Government.

WHEREAS the Government has, at the request of the above bounden Shri/Shrimati/Kumari....., employed as a , granted him/her regular leave, followed by extraordinary leave without pay and allowances, for a period of months..... days with effect from.....in order to enable him/her to study at

AND WHEREAS the Government has appointed/will have to appoint a substitute to perform the duties of during the period of absence of Shri/Shrimati/Kumari..... on extraordinary leave;

AND WHEREAS for the better protection of the Government the obligor has agreed to execute this bond with two sureties with such condition as hereunder written;

AND WHEREAS the said sureties have agreed to execute this bond as sureties on behalf of the bounden

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT in the event of the above bounden, Shri/Shrimati/ Kumari failing to rejoin on the expiry of the period of extraordinary leave, the post originally held by him/her and serve the Government after rejoining for such period not exceeding a period of years as the Government may require or refusing to serve the Government in any other capacity as may be required by the Government on a salary to which he/she would be entitled under the rules, the said Shri/Shrimati/ Kumarior his/her heirs, executors, and administrators shall forthwith pay to the Government on demand the said sum of Rs.....together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

AND upon the obligor Shri/Shrimati/Kumari and, or Shri/Shrimati/Kumariand or Shri/Shrimati/ Kumari.....these sureties aforesaid making such payment the above written obligation shall be void and of no effect, otherwise it shall be and remain in 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 Government or any person authorised by them (whether with or without the consent or knowledge of the sureties) nor shall it be necessary for the Government to sue the obligor before suing the sureties Shri/Shrimati/Kumari.....and Shri/Shrimati/ Kumari..... or any of them for amounts due hereunder.

The bond shall in all respects be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall where necessary be accordingly determined by the appropriate courts in India.

The Government of Maharashtra have agreed to bear the stamp duty payable on this bond.

Signed and dated this day of20....

Signed and delivered by the obligor

Above-named Shri/Shrimati/Kumari

..... in the presence of

Witnesses 1

2

Appendix V]

Signed and delivered by the surety
Above-named Shri/Shrimati/Kumari
..... in the presence of

Witnesses 1
 2

Signed and delivered by the surety
Above-named Shri/Shrimati/Kumari
..... in the presence of

Witnesses 1
 2

Accepted
for and on 1[behalf of the
Governor] of Maharashtra.

1. The words are substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

FORM 7

(See rule 83)

**Bond to be executed by a Government servant in permanent
Employ when proceeding on study leave.**

KNOW ALL MEN BY THESE PRESENTS THAT I,
..... resident of
in the District ofat present
employed as..... in the Department/Office of
.....do hereby bind myself and my heirs,
executors and administrators to pay to the Governor of Maharashtra (hereinafter
called the Government) on demand the sum of Rs.....
(Rupees.....only) together with interest
thereon from the date of demand at Government rates for the time being in force
on Government 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 between attorney and client and all charges and expenses that shall or
may have been incurred by the Government.

WHEREAS I,..... am granted
study leave by Government;

AND WHEREAS for the better protection of the Government, I have agreed
to execute this bond with such condition as hereunder is written;

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS
THAT in the event of my failing to resume duty or resigning or retiring from
service or otherwise quitting service without returning to duty after the expiry
or termination of the period of study leave or at any time within a period of three
years after my return to duty, I shall forthwith pay to the Government or as may
be directed by the Government on demand the said sum of Rs (Rupees
..... only) together with interest thereon from the date
of demand at Government rates for the time being in force on Government loans.

AND upon my making such payment the above written obligations shall be
void and of no effect, otherwise it shall be and remain in full force and virtue.

The bond shall in all respects be governed by the laws of India for the time
being in force and the rights and liabilities hereunder shall where necessary be
accordingly determined by the appropriate courts in India.

Appendix V]

The Government of Maharashtra have agreed to bear the stamp duty payable on this bond.

Signed and dated this.....day of
..... Two thousand

Signed and delivered by

.....

in the presence of

Witnesses (1)

(2)

Accepted.

For and ¹[on behalf of the
Governor] of Maharashtra.

¹ The words are substituted *vide* Government Notification, F.D., No. MCS 2020/C.R. 4/SER-6, dated 28th January, 2025.

FORM 8

(See rule 83)

**Bond to be executed by a Government servant in permanent
Employ when granted extension of study leave.**

KNOW ALL MEN BY THESE PRESENTS THAT I,
..... Resident of in the District
of at present employed as..... in the Department/
Office of do hereby bind myself and my heirs, executors
and administrators to pay to the Governor of Maharashtra (hereinafter called
“the Government”) on demand the sum of Rs.....
(Rupees.....only) together with interest
thereon from the date of demand at Government rates for the time being in force
on Government 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 between attorney and client and all charges and expenses that shall or
may have been incurred by the Government.

WHEREAS I,..... granted
study leave by Government for the period from to
..... in consideration of which I executed a bond

Dated for Rs. (Rupees only) in
favour of the Governor of Maharashtra.

AND WHEREAS the extension of study leave has been granted to me at my
request until

AND WHEREAS for the better protection of the Government, I have agreed
to execute this bond with such condition as hereunder is written.

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS
THAT in the event of my failing to resume duty, resigning or retiring or otherwise
quitting service without returning to duty after the expiry or termination of the
period of study leave so extended or any time within a period of three years
after my return to duty, I shall forthwith pay to the Government or as may be
directed by the Government on demand the said sum of Rs..... (Rupees
..... only) together with interest thereon from the date of
demand at Government rates for the time being in force on Government loans.

AND upon my making such payment the above written obligations shall be
void and of no effect, otherwise it shall be and remain in full force and virtue.

Appendix V]

The bond shall in all respects be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall, where necessary, be accordingly determined by the appropriate courts in India.

The Government of Maharashtra have agreed to bear the stamp duty payable on this bond.

Signed and dated this day of20 ...

Signed and delivered by

.....in the presence of

Witnesses (1)

(2)

Accepted.

for and on behalf of the
Governor of Maharashtra.

FORM 9

(See rule 83)

**Bond to be executed by a Government servant not in permanent
Employ, when proceeding on study leave.**

KNOW ALL MEN BY THESE PRESENTS THAT WE resident ofin the District of at present employed as..... in the Department/Office of(hereinafter called “the obligor”) and Shri/Shrimati/Kumari son/daughter of of and Shri/Shrimati/Kumari son/daughter of of (hereinafter called the sureties) do hereby jointly and severally bind ourselves and our respective heirs, executors and administrators to pay to the Governor of Maharashtra (hereinafter called “the Government”) on demand the sum of Rs (Rupeesonly) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or, if the 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 between attorney and client and all charges and expenses that shall or may have been incurred by the Government.

WHEREAS the obligor is granted study leave by the Government;

AND WHEREAS for the better protection of the Government the obligor has agreed to execute this bond with such condition as hereunder is written ;

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 Shri/Shrimati/Kumari failing to resume duty or resigning from service or otherwise quitting service without returning to duty after the expiry or termination of the period of study leave or at any time, within a period of three years after his return to duty, the obligor and the sureties shall forthwith pay to the Government or as may be directed by the Government on demand the said sum of Rs (Rupees..... only) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

AND upon the obligor Shri/Shrimati/Kumari and, or Shri/Shrimati/Kumari and, or Shri/

Appendix V]

Shrimati/Kumari.....the sureties aforesaid making such payment the above written obligation shall be void and of no effect, otherwise it shall be and 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 Government or any person, authorised by them (whether with or without the consent or knowledge of the sureties) nor shall it be necessary for the Government to sue the obligor before suing the sureties Shri/Shrimati/Kumari.....and Shri/Shrimati/Kumari..... or any of them for amounts due hereunder.

The bond shall in all respects be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall where necessary be accordingly determined by the appropriate courts in India.

The Government of Maharashtra have agreed to bear the stamp duty payable on this bond.

Signed and dated this day of20....

Signed and delivered by the obligor above-named Shri/Shrimati/Kumari..... in the presence of

Witnesses (1) (2)

Signed and delivered by the surety above-named Shri/Shrimati/Kumari..... in the presence of

Witnesses (1) (2)

Signed and delivered by the surety above-named Shri/Shrimati/Kumari..... in the presence of

Witnesses (1) (2)

Accepted for and on behalf of the Governor of Maharashtra.

FORM 10

(See rule 83)

**Bond to be executed by a Government servant not in permanent
Employ when granted extension of study leave.**

KNOW ALL MEN BY THESE PRESENTS THAT WE
..... resident of in
the District of at present employed
as..... in the Department/Office of
..... (hereinafter called "the obligor") and Shri/
Shrimati/Kumari son/daughter of
..... of and Shri/Shrimati/Kumari
..... son/daughter of of
..... (hereinafter called "the sureties") do hereby jointly and
severally bind ourselves and our respective heirs, executors and administrators
to pay to the Governor of Maharashtra (hereinafter called "the Government") on
demand the sum of Rs.....(Rupees.....
only) together with interest thereon from the date of demand at Government
rates for the time being in force on Government loans or, if the 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 between attorney and client and all
charges and expenses that shall or may have been incurred by the Government.

WHEREAS the obligor was granted study leave by the Government for the
period from to
in consideration of which he executed a bond dated
for Rs. (Rupees only)
in favour of the Governor of Maharashtra.

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

AND WHEREAS for the better protection of the Government the obligor has
agreed to execute this bond with such condition as hereunder is written :

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 Shri/Shrimati/Kumari
..... failing to resume duty resigning from service
without returning to duty after the expiry or termination of the period of study

Appendix V]

leave so extended or at any time within a period of three years after his return to duty, the obligor and the sureties shall forthwith pay to the Government or as may be directed by the Government on demand the said sum of Rs (Rupees only) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

AND upon the obligor Shri/Shrimati/Kumari and, or Shri/Shrimati/Kumari and, or Shri/Shrimati/Kumari.....the sureties aforesaid making such payment the above written obligation shall be void and of no effect otherwise it shall be and 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 Government or any person authorised by them (whether with or without the consent or knowledge of the sureties) nor shall it be necessary for the Government to sue the obligor before suing the sureties Shri/Shrimati/Kumari.....and Shri/Shrimati/Kumari..... or any of them for amounts due hereunder.

The bond shall in all respects be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall where necessary be accordingly determined by the appropriate courts in India.

The Government of Maharashtra have agreed to bear the stamp duty payable on this bond.

Signed and dated this day of20.....

Signed and delivered by the obligor above-named Shri/Shrimati/Kumari.....

in the presence of

Witnesses (1)

(2)

Signed and delivered by the surety above-named Shri/Shrimati/Kumari.....

in the presence of

Witnesses (1)

(2)

Signed and delivered by the surety above-named Shri/Shrimati/Kumari.....

in the presence of

Witnesses (1)

(2)

Accepted

for and on behalf of the

Governor of Maharashtra.

¹[APPENDIX VI

(See Rule 74-A)

Grant of special leave to the female servant for the rearing of a child born out of surrogacy

The competent authority may sanction a special leave of 180 days to the female Government servant as a maternity leave, to rear a child born out of surrogacy subject to following terms and conditions:

(1) Concerned female Government servant shall make an application in advance, to the competent authority in prescribed procedure. It shall be necessary to enclose the agreement of surrogacy, certificate by the concerned medical officer/gynaecologist. Certificate of gynaecologist that all the guidelines issued by the ICMR regarding surrogacy have been followed, shall also be required to be enclosed;

(2) Said special leave shall be admissible for the period of 180 days from date of birth of child;

(3) This leave shall be admissible only for once during entire service period;

(4) This leave shall be admissible to the female Government servant having no child and to the female Government servant who has not adopted a child.]

¹ The Appendix VI added vide Government Notification, F.D., No. MCS. 2020/CR 4/ SER-6, dated 28th January, 2025 with effect from 20th January, 2016.

¹[APPENDIX VII

(See Rule 74-B)

Grant of special child rearing leave to the Government servants with disabled child.

Taking into consideration the provisions of the Persons with Disabilities (Equal Opportunity, Protection of Rights and Full Participation) Act, 1995 (1 of 1996), the Competent Authority may grant Special Child rearing Leave to the Government servant mentioned hereinafter, and the male servant of the State, who has a child and without spouse i.e. father of such a child, for a maximum limit of 730 days out of entire period of service:-

²“(A) As per clause (zc) of section 2 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016), disability includes the following categories as specified in the Schedule, --

1. Loco Motor Disability
2. Leprosy Cured Person
3. Cerebral Palsy
4. Dwarfism
5. Muscular Dystrophy
6. Acid Attack Victims
7. Blindness
8. Low Vision
9. Hearing Impaired (Deaf and hard of Hearing)
10. Speech and Language Disability
11. Intellectual Disability
12. Specific Learning Disability
13. Autism Spectrum Disorder
14. Mental Behaviour / Mental illness
15. Multiple Sclerosis
16. Parkinsons disease
17. Haemophilia

1 The Appendix VII added *vide* Government Notification, F.D., No. MCS. 2020/CR 4/ SER-6, dated 28th January, 2025 with effect from 21st September, 2016.

2 This provision is substituted *vide* Government Notification, F.D., No. MCS. 2020/CR 4/ SER- 6, dated 28th January, 2025 with effect from 9th March, 2023.

Appendix VII]

18. Thalassemia
19. Sickle Cell Disease
20. Chronic Neurological Condition
21. Multiple Disabilities .]

(B) The terms and conditions for the permissibility of the leave are:-

(1) It shall be necessary to produce the Certificate of Disability issued by a Civil Surgeon or a Government Medical Officer senior than a civil surgeon or a certificate issued as per the resolutions passed by the Government from time to time;

(2) The leave cannot be claimed as a matter of right but can be availed with prior permission of competent authority only;

(3) ¹[] ;

(4) The leave shall be applicable for first two surviving children;

(5) During such period she/he shall be paid leave salary equal to the pay drawn immediately before proceeding on leave ;

(6) Such a leave can be availed in more than one spells. however, shall be limited to maximum three (spells) in a financial year ;

(7) The account of the Child-rearing Leave shall be kept in the format enclosed herewith and same shall be kept in the service book. The account shall be properly entered in the service book also;

(8) The Special Child-rearing Leave cannot be granted during a probation period; however, if the competent authority is convinced that, such a servant must avail the leave due to serious condition of the disabled child, the special child-rearing leave of a minimum period can be availed during the probation period, in exceptional circumstances. The probation period of the concerned male/female Government servant shall be extended in like proportion;

(9) If the male/female Government servant, eligible for special child-rearing leave, accepts new appointment for more than one time, then the leave for the periods as different locations shall be combined and a leave of 730 days out of total period of service shall become permissible;

(10) A Government servant may be allowed leave of the kind due, if she/he so desires and applies up to a maximum period of one year.

(11) It shall be mandatory for the Government servant to produce a certificate that the disabled child is dependent on such a servant.

1 This provision is deleted *vide* Government Notification, F.D., No. MCS 2020/CR-4/SER-6, Dated 28 January, 2025 with effect from 9th March, 2023.

¹[Note:- This leave cannot be taken for a period of less than 5 days.]

ANNEXTURE of special child rearing leave to the Government servants with disabled child :

Name of the Department/Office :

Name and Designation of Officer/Staff :

Mobile No./Telephone No. :

Period of child rearing leave		Total period	Balance leave		Signature, designation and name of the office of the competent authority
From	To		Date	Balance	
1	2	3	4	5	6

¹ This provision is Added *vide* Government Notification, F. D., No. MCS. 2020/C.R. 4/SER-6, dated 28th January, 2025 with effect from 9th March, 2023.

¹[APPENDIX VIII

(see rule 74-C)

Grant of special leave to female State Government servant for adopting child.

The competent authority may sanction a special leave to the female Government servant who have joined the service through approved mode of recruitment and adopting a child as under :

(A) (1) If the age of the adopted child is below one year on the date of adoption, a leave of 180 days shall be admissible ;

(2) If a child between the age of more than one year and below three years has been adopted, then a leave of 90 days shall be admissible.

The benefit of said leave shall commence from the stage of pre-adoption foster care; and in other cases, same shall be admissible after completion of the legal adoption process.

During such period she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave and such leave shall not be debited to the leave account.

(B) (1) Required documents/legal papers related to the adoption of child be submitted. If the child is adopted from a adoption society, the papers related to the society shall be produced for grant of leave; no court order is required to be produced. Said orders be produced in the office once a final order is issued by the Court.

(2) Said special leave shall be admissible to the female Government servants having less than two surviving children.

If the female Government servant with one surviving child, obtains such a special leave, the maternity leave and the surrogacy leave for maternity/adopted child shall not be admissible.

(3) There is no bar of service period. However, the female Government servants who have a service period of less than two years, should submit a bond paper while applying for the said leave. It shall be compulsory for the female Government servant to serve the Government for minimum two years; who joins the service after completion of special leave or after completion of the due or permissible leave with the special leave. The female State Government servant, who intends to, join any other service from the service of the State Government, where the salary expenditure is not made by the State Government or from the

1 The Appendix VIII added *vide* Government Notification, F.D., No. MCS. 2020/C.R. 4/ SER- 6, Dated 28th Janaury, 2025 with effect from 15th March, 2017.

Consolidated Fund of the State, before completion of minimum two years of service during the special leave period/without joining after the special leave/during the due and permissible leave period along with the leave or without joining the special leave/after completion of the special leave or after joining after the due and permissible leave along with special leave; or to resign for any other reason or to be relieved, such a servant shall be allowed to resign or to be relieved, from the service of Government after payment of salary equal to the salary drawn for the period of child rearing leave and the concerned State Government servant shall furnish a bond of like nature to the office while applying for the leave, without fail.

(C) Considering the age of the child to be adopted on the date of adoption, due and admissible leaves can be availed without production of medical certificate in addition to the adopted child rearing leave as under. The extra-ordinary leave shall be included in the admissible leave. However, the extra-ordinary leave shall not be counted for the purposes of pension and increments:-

(1) If the age of the adopted child is less than one month; then the special leave of one year shall be admissible;

(2) If the age of the adopted child is more than 6 months but less than 7 months; then the special leave of 6 months shall be admissible;

(3) If the age of the adopted child is more than 9 months and less than 10 months; the special leave of 3 months shall be admissible.]

¹[APPENDIX IX

(see rule 74-D)

Grant of Child Rearing Leave to the Government servants.

The competent authority may sanction Child Rearing Leave for maximum one hundred and eighty days to the female Government servant of the State Government as well as male Government servant without spouse, whose wife is bed-ridden with terminal disease, subject to the following terms and conditions:—

(A) Female Government servant as well as male Government servant without wife:

1. The grant of leave shall be applicable till attaining the age of 18 years of the children. (The responsibility to ensure that the leave shall not be applicable from the date of attainment of 18 years of age (to the servant) who is on child rearing leave, shall rest with the leave sanctioning officer).

2. The leave can be availed to the extent of maximum two months in a year.

3. The leave can be availed in the spells of 1/2/3/4 during the (entire) service period, subject to the condition no.1 supra. However, the leave can be availed in a calendar year in three spells.

4. The leave shall be entitled for first two surviving children.

5. The availing of leave shall be applicable after completion of one year of government service.

6. The leave can be sanctioned even if the earned leave and half-pay leave are in credit.

7. The leave can be taken in addition to the earned leave, half-pay leave and maternity leave.

8. If a leave is taken in one calendar year is continued in next calendar year, such a leave shall be considered for the preceding calendar year.

9. During such period she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.

10. The Child-rearing Leave cannot be granted during a probation period; however, if the competent authority is convinced that, such a servant must avail the leave due to serious condition of the child, the child-rearing leave of a minimum period can be availed during the probation period, in exceptional circumstances. The probation period of the concerned male/female Government servant shall be extended in like proportion.

¹ The Appendix IX added *vide* Government Notification, F.D., No. MCS. 2020/C.R. 4/ SER- 6, dated 28th January, 2025 and the provision relating to female Government servant have been added with effect from 23rd July, 2018 and the provision relating to male Government servant have been added with effect from the 15th December, 2018.

11. The Leave Travel Concession shall not be permissible during the leave period.

12. The leave cannot be asked as a matter of right and can be availed with prior permission of the competent authority only. The competent authority shall be responsible to take care that no creation of post and recruitment and such sanction of leave would not affect the day to day working, while sanctioning the leave. The servant is not habitual in seeking leaves, should also be considered while sanctioning the leave.

13. If the Government servant, eligible for child-rearing leave, accepts new appointment for more than one time, then the leave for the periods at different locations shall be combined and a leave of 180 days out of total period of service shall become permissible.

14. The account of the Child-rearing Leave shall be kept in the format enclosed herewith and same shall be kept in the service book. The account shall be properly entered in the service book also.

15. The State Government servant, who intends to, join any other service from the service of the State Government, where the salary expenditure is not made by the State Government or from the Consolidated Fund of the State, before completion of minimum ten years of service, or to resign for any other reason or to be relieved, such servant shall be allowed to resign or to be relieved, from the service of State Government after payment of salary equal to the salary drawn for the period of child rearing leave and the concerned State Government servant shall furnish a bond of like nature to the office while applying for the leave, without fail.

(B) Male Government servant whose wife is terminally ill:-

After producing a medical certificate from the Superintendent of J. J. Hospital/District Civil Surgeon (for City)/District Health Officer (for rural area), whose wife is bed ridden with disease or mentally ill or incapacitated to rare child, is entitled to Child Rearing Leave for that period as per terms and conditions mentioned at (A) 1 to 15 above.

The wife of Government servant is admitted as in-patient in Hospital and bed ridden with disease and unable to take care of child, the male Government servant is entitled to child rearing leave subject to maximum of 180 days, as per the case. In case of death of wife of Government servant after sanction of child

Appendix XI]

rearing leave to Government servant, he is entitled for balance period of Child Rearing Leave maximum period of 180 days.

ANNEXURE of child rearing leave to the Government servants.

Name of the Department/Office :

Name and Designation of Officer/Staff :

Mobile No./Telephone No. :

Period of child rearing leave		Total period	Balance leave		Signature, designation and name of the office of the competent authority
From	To		Balance	Date	
1	2	3	4	5	6

1[APPENDIX X

(see rule 34)

There shall be 16 Medical Boards for concerned districts for medical examination of the candidates who are selected for State Governments Service as per the provisions of Maharashtra Civil Services Rules:

Sr. No.	Medical Board	District
1	Grant Government Medical College and Group of J. J. Hospital, Byculla, Mumbai.	Thane, Palghar, Raigad, Nashik
2	Gokuldas Tejpal Hospital, Mumbai.	Mumbai City, Mumbai Suburban
3	B.J.Government College and Sasoon General Hospital, Pune	Pune, Ahmednagar
4	Government Medical College and Hospital, Nagpur	Nagpur, Bhandara, Gondia
5	Indira Gandhi Government Medical College and Hospital, Nagpur	Wardha
6	Government Medical College and Hospital, Aurangabad.	Aurangabad, Jalna
7.	Swami Ramanand Tirth Medical College and Hospital, Ambejogai, Beed	Beed
8.	Dr.Vaishampayan Memorial Government Medical College and Hospital, Solapur.	Solapur, Osmanabad
9.	Government Medical College, Miraj and Padmabhushan Vasantdada Patil Government Hospital, Sangali.	Sangali, Satara
10.	Shri Bhausahab Hire Government Medical College and Hospital, Dhule.	Dhule, Nandurbar, Jalgaon
11.	Dr. Shankarrao Chavan Government Medical College and Hospital, Nanded	Nanded, Parbhani, Hingoli
12.	Shri Vasanttrao Naik Government Medical College and Hospital, Yavatmal.	Amravati, Yavatmal

1 The Appendix X added *vide* Government Notification, F.D., No. MCS. 2020/C.R. 4/ SER- 6 Dated 28th January, 2025.

Sr. No.	Medical Board	District
13.	Rajarshi Chhatrapati Shahu Maharaj Government Medical College and Chhatrapati Pramilaraje General Hospital, Kolhapur.	Kolhapur, Sindhudurg, Ratnagiri
14.	Government Medical College and Hospital, Latur	Latur
15.	Government Medical College and Hospital, Akola	Akola, Buldhana, Washim
16.	Government Medical College and Hospital, Chandrapur.	Chandrapur, Gadchiroli.

By order and in the name of the Governor of Maharashtra.

Dr. RICHA BAGLA,
Principal Secretary to Government.

COMPARATIVE TABLE

Note.— This comparative table has been prepared solely for the purposes of facilitating reference.

Rule Number from Maharashtra Civil Services (Leave) Rules, 1981 1	Corresponding Rule Numbers from Bombay Civil Services Rules, 1959 and Revised Leave Rules, 1935 (RLR) 2	Remarks 3
Chapter I—General		
1 (1) & (2)	1	
2 (1)	613 & RLR-2	
<i>Note 1</i>	Proviso to Rule 613	
<i>Note 2</i>	Note 2 below 613	
<i>Note 3</i>	148	
2 (2)	617 and 765-A(b)	
3	3	
4	3-A	
5	Exception 1 below RLR-2	
6	5	
7	6	
<i>Note</i>	<i>Note</i>	
8	8	
Chapter II—Definitions		
9	9	
Chapter III—General Conditions		
10 (1), (2) & (3)	619 and <i>Note</i>	
11	681	
12	620	
13	627	
14 (1)	<i>Note 1</i> below RLR-12	
14 (2)	..	New
Note	..	New
15	RLR-5	

Rule Number from Maharashtra Civil Services (Leave) Rules, 1981 1	Corresponding Rule Numbers from Bombay Civil Services Rules, 1959 and Revised Leave Rules, 1935 (RLR) 2	Remarks 3
Explanation	..	New
Note 1	..	New
Note 2	..	New
16	33	
17	628	
18 (1)	..	New
18 (2)	..	New
18 (3)	..	New
18 (4)	..	New
18 (5)	..	New
19	680	
20	638	
21	Note 3 below RLR 12	
22(1)	..	New
22(2)	250 (c)	
22(3)	618 (b)	
22(4)	618 (a)	
23	..	New
Chapter IV—Grant of and return from Leave		
24	651	
25	650	
26	679	
27	623	
28	624	Deleted
29	625	
30	..	New
31	683 and 683(A)	
32	622	
33	660	
34	..	New

Rule Number from Maharashtra Civil Services (Leave) Rules, 1981 1	Corresponding Rule Numbers from Bombay Civil Services Rules, 1959 and Revised Leave Rules, 1935 (RLR) 2	Remarks 3
35	664	
36	..	New
37	666	
38	672	
39	675	
40 (1)	661 and 671	
40 (2)	662	
40 (3)	668	
Note	Note	
40 (4)	669	
40 (5)	670 (1)	
40 (6)	670 (2)	
40 (7)	659	
40 (8)	673	
Note 1	<i>Note 1 below Rule 671</i>	
Instruction	<i>Instruction below Rule 671</i>	
Note 2	<i>Note 2 below 671</i>	
Note 3	<i>Note 3 below 671</i>	
41 (1)	674 (a)	
41 (2)	659	
41 (3)	674 (b) and Note below it.	
41 (4)	674 (c)	
41 (5)	673	
41 (6)	..	New
42	677	
43	682	
44	629	
45 (1)	630	
45 (2)	<i>Note below 630</i>	

Rule Number from Maharashtra Civil Services (Leave) Rules, 1981 1	Corresponding Rule Numbers from Bombay Civil Services Rules, 1959 and Revised Leave Rules, 1935 (RLR) 2	Remarks 3
45 (3)	631	
Note 1	..	New
Note 2	..	New
46	639	
Note	Note	
47 (1)	644 (1)	
47 (2)	644 (2)	
47 (3)	641 (1)	
47 (4)	704	
Note 1	..	New
Note 2	..	New
48	645	
49	646	
Chapter V—Kinds of leave due and admissible		
50 (1)(2)(3) & Exception	RLR-8(1) (2) (3) & Exception	
Note	..	New
50 (1)(d)	615	
51	<i>Instruction below RLR-8</i>	
52	737 and 738	
53	739	
54	RLR-9	
55	742	
56	743	
<i>Note</i>	<i>Note</i>	
57	744	
58	745	

Rule Number from Maharashtra Civil Services (Leave) Rules, 1981 1	Corresponding Rule Numbers from Bombay Civil Services Rules, 1959 and Revised Leave Rules, 1935 (RLR) 2	Remarks 3
<i>Note</i>	<i>Note</i>	
59	746	
60	RLR 4 (viii), 10 (a) and 11	
61 (1)	RLR-10 (c)	
61 (2)	RLR-10 (c)(i)	
61 (3)	Note 5 below RLR-10	
61(4)	..	New
Note	..	New
62 (1)	RLR-10 (d) Note 1	
62 (2)	RLR-10 (e)(i) and (ii) and Notes 2 & 4	
63	RLR-(13 and 752) and <i>Notes</i> Thereunder	
64 (1)	809	
64 (2) Note	Notes 1,2 & 3 Below 809	
64 (3)	810	
Note	Note 2 below 810	
65	Note 2 below RLR-11 & 782-A	Deleted
66	RLR 6 & 753	
67	753 and RLR-6	
68	..	New
69	..	New
70	RLR-14	
71	692 and 761 (1)	
72	..	New
73	..	Deleted

Rule Number from Maharashtra Civil Services (Leave) Rules, 1981 1	Corresponding Rule Numbers from Bombay Civil Services Rules, 1959 and Revised Leave Rules, 1935 (RLR) 2	Remarks 3
Chapter VI— Special kinds of leave other than study leave		
74	771, 773 and 803	
74-A	..	New
74-B	..	New
74-C	..	New
74-D	..	New
74-E	..	New
75	748	
76	749	
77 (1) & (2)	774	
77 (3)	775	
77 (4)	777	
77 (5)	..	New
78	779 & 780	
79	..	New
Chapter VII—Study leave		
80 to 93	751 & Note and Appendix L	
Chapter VIII—Miscellaneous		
94	784	
95	804	
96	805	
Chapter IX--Repeal and Saving		
97	864	

II

The following Rules/Notes/Instructions from the Bombay Civil Services Rules, 1959 stand deleted :—

Rule No.

Note 1 below 613

614

616

621

622-A

Note below 625 and instruction below 629 and Exception below 630 (a).

632

633

636 (a)

636 (b) and notes

637

Note below 639

642

643

Note below 645

647

648

649

655

656

667

Notes 2, 3 & 4 below 674

Notes 1 & 2 below 682 (b)

684

685

686

687

688

689

690

691

Rule No.

693

694 to 703

705 to 736

Notes 1 to 8 and Explanation below 747

Note 1 below 748

750

752 (c) and Notes 1 and 3 below 752

Notes 1 to 14 of 753 (b)

757 with notes

758, 759 and 760 along with notes

761 (2), (3) and (4) and Notes below it

763

764 and 765

765 (A) (a) and Notes below it

766

768

769 and Note

769 (A) and Notes

Notes below 773

781

782

783

785

786

789

806

807

808

Note 2 below 809

Note 1 below 810

822

826-A & note

830

The following rules from the Revised Leave Rules, 1935 have also been deleted :—

RLR No.	RLR No.
1	Explanation below RLR 6
Exception 2 below rule 2	Explanation below RLR 8
2-A	Note 2 below RLR 9
2-C	Notes 2 and 5 below RLR 13, 4
3	
4 [except 4 (viii) and Note 1, Note 2]	Annexure below RLR 15

III

The following Rules/Notes/Instructions/Exceptions etc. from the Bombay Civil Services Rules, 1959, stand transferred to other sets of rules, as shown below :—

657— Transferred to Maharashtra Civil Services (Joining Time, Foreign Services and payments during Suspension, Dismissal and Removal) Rules, 1981.

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MAHARASHTRA CIVIL SERVICES
(GENERAL CONDITIONS OF SERVICES)
RULES, 1981

FINANCIAL PUBLICATION OF THE
GOVERNMENT OF MAHARASHTRA No. III

SECOND EDITION (Re-print)



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GOVERNMENT OF MAHARASHTRA

FINANCE DEPARTMENT

MAHARASHTRA CIVIL SERVICES

(GENERAL CONDITIONS OF SERVICE)

RULES 1981

FINANCIAL PUBLICATION OF THE
GOVERNMENT OF MAHARASHTRA No. 11

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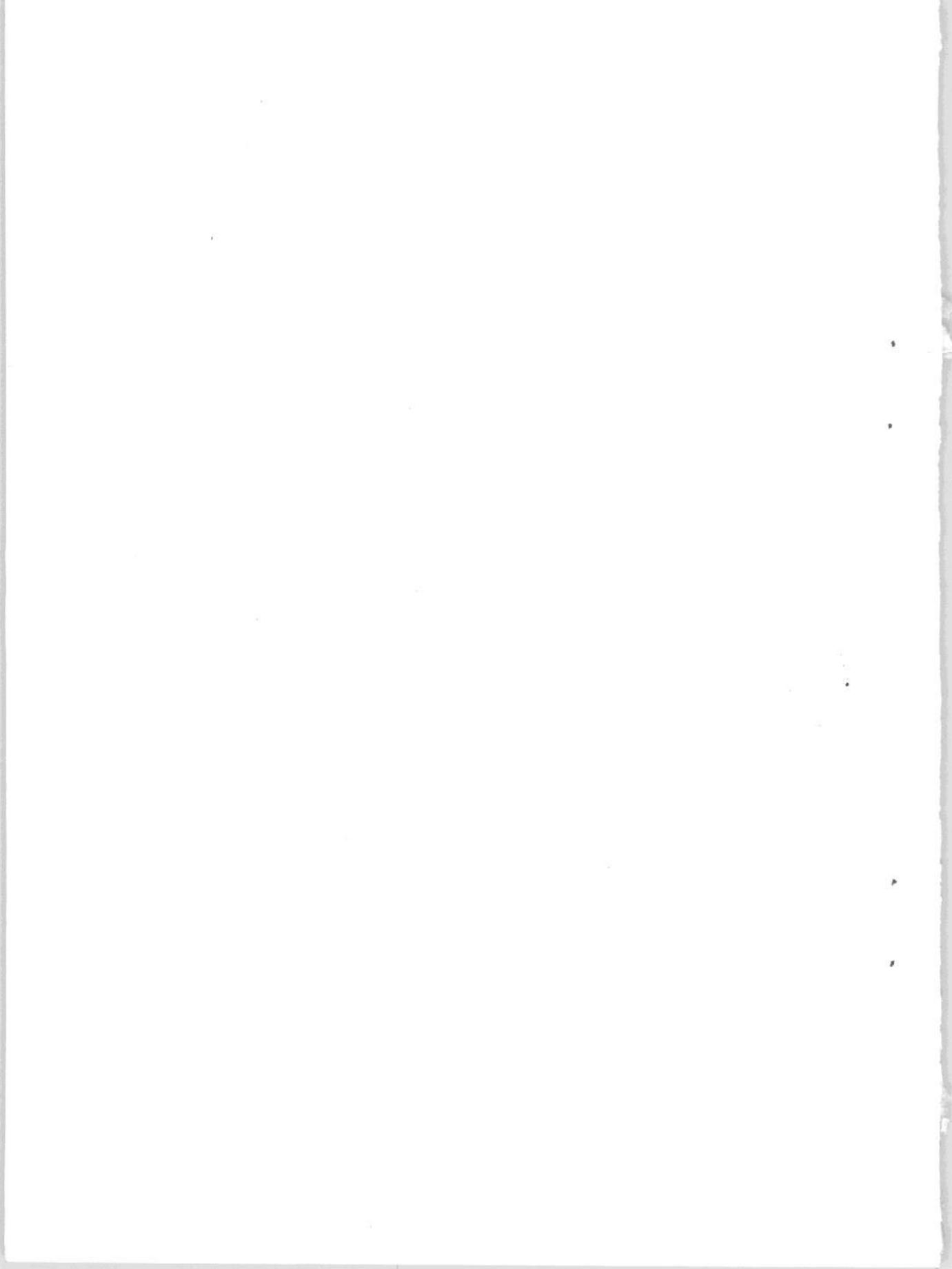
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(GENERAL CONDITIONS OF SERVICES)
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PREFACE

The First Edition of the Bombay Civil Services Rules, 1959, in Volumes I and II, was printed in 1959 after the reorganisation of States in 1956. Various developments have taken place since then i.e., the Reorganisation of the Bilingual Bombay State into the two States of Maharashtra and Gujarat as also changes have been made in the Rules through numerous amendments issued from time to time, during the last several years. As a result, a good deal of difficulty was being experienced in practice in understanding and applying these rules properly. The need to have revised and simplified Service Rules was being acutely felt. Government, therefore, has decided to publish the following self-contained subjectwise sets of Services Rules :—

- (1) Maharashtra Civil Services (General Conditions of Services) Rules.
- (2) Maharashtra Civil Services (Pay) Rules.
- (3) Maharashtra Civil Services (Joining Time, Foreign Service and Payments during Suspension, Dismissal and Removal) Rules.
- (4) Maharashtra Civil Services (Leave) Rules.
- (5) Maharashtra Civil Services (Pension) Rules.
- (6) Maharashtra Civil Services (Honoraria, Fees, Compensatory Local and House Rent Allowances) Rules.
- (7) Maharashtra Civil Services (Occupation of Government Residences) Rules.
- (8) Maharashtra Civil Services (Travelling Allowances) Rules.

These sets of rules seek to codify the provisions of existing rules in the Bombay Civil Services Rules subjectwise and the various orders issued by Government with such rewording as have become necessary to put them in the form of statutory rules.

2. The first four sets of rules [S. Nos. (1) to (4)] have been framed by the Governor of Maharashtra under proviso to article 309 of the Constitution of India. These rules which have been issued under Government Notification, Finance Department, No. MSC 1081/1/MCSR-Cell, dated the 23rd July 1981, come into force with effect

from the 15th August 1981. The remaining sets of rules will be issued later on.

3. To make each set of rules as self-contained as possible, the relevant delegation of powers, Appendices and the relevant forms pertaining to a particular subject, have also been included therein.

4. This set of rules pertains to General Conditions of Services of employees of the Maharashtra Government. The Marathi version will be published separately.

5. For facility of reference a comparative table has been appended to this set of rules at the end indicating the numbers of these rules and the corresponding provisions of the Bombay Civil Services Rules, 1959. The table also indicates the provisions of the Bombay Civil Services Rules, 1959, which have been deleted from this set of rules.

6. Omissions or inaccuracies, if any, in this set of rules, may please be brought to the notice of the Finance Department.

Dated 23rd July 1981.
Finance Department,
Mantralaya, Bombay 400 032.

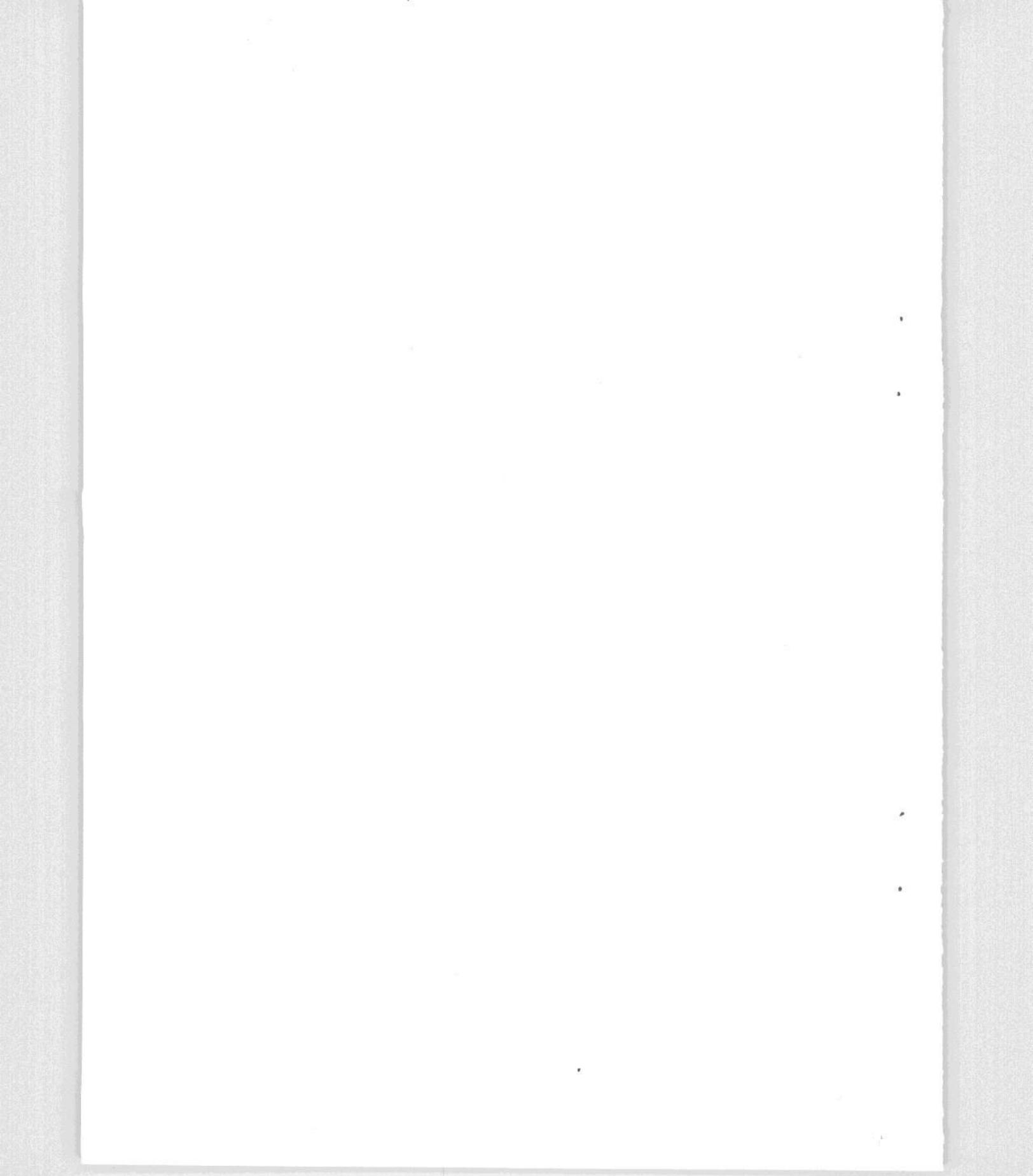
V. PRABHAKAR
Special Secretary to Government,
Finance Department.

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GOVERNMENT OF MAHARASHTRA
FINANCE DEPARTMENT

Mantralaya, Bombay 400 032, dated 23rd July 1981

NOTIFICATION

CONSTITUTION OF INDIA

No. MSC 1081/1/MCSR-Cell.—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Maharashtra is hereby pleased to make the following Rules, namely:—

CHAPTER I—GENERAL

1. Short title and commencement

(1) These Rules may be called the Maharashtra Civil Services (General Conditions of Services) Rules, 1981.

(2) They shall come into force on the 15th day of August 1981.

2. Extent of application

Except where it is otherwise expressed or implied, these rules apply to all members of services and holders of posts whose conditions of service the Government of Maharashtra are competent to prescribe. They shall also apply to—

(a) any person for whose appointment and conditions of employment special provision is made by or under any law for the time being in force,

(b) any person in respect of whose service, pay and allowances and pension or any of them special provision has been made by an agreement made with him, in respect of any matter not covered by the provisions of such law or agreement, and

(c) Government servants paid from Local Funds administered by Government, except rules relating to the foreign service.

Note 1.—As regards the amount of leave and pension, Government servants of the former States of Saurashtra, Kutch, Madhya Pradesh and Hyderabad, allocated to the State of Bombay, who have opted to be governed by the rules of the former States applicable to them before the 1st day of November 1956, in accordance with Government Resolution, Finance Department, No. INT 1056-S-8, dated the 7th January 1957, as modified from time to time will be governed by those rules. Option once exercised is final.

Note 2.—By virtue of rule 3 of All India Services (Compensatory Allowances) Rules, 1954, and Rule 3 of All India Services (Travelling Allowances) Rules, 1954, the Compensatory and Travelling Allowances of the All India Services Officers, serving in connection with the affairs of the Government of Maharashtra, are regulated by the relevant provisions of the Maharashtra Civil Services Rules pertaining to Compensatory Allowances and Travelling Allowances.

Note 3.—Persons transferred to Government service from a Local Fund which is not administered by Government will be treated as joining a first post under Government and their previous service shall not count as service performed under Government. Government may, however, allow previous service in such cases to count as service performed on such terms as it thinks fit.

3. Right to interpret

Government reserve to themselves the right of interpreting these rules.

4. Power of relaxation

Where Government is satisfied that the operation of any of these rules causes or is likely to cause undue hardship in the case of any Government servant or class of Government servants, it may, by an order in writing, exempt any such Government servant or class of Government servants from any provisions of these rules or may direct that such provisions shall apply to such Government servants or class of Government servants with such modifications not affecting the substance thereof as may be specified in such order.

5. Validity of terms of contract

The terms of a specific contract enforceable at law necessarily override the provisions of these rules.

6. Regulation of claims to pay, allowances, leave and pension

A Government servant's claim to pay and allowances is regulated by the rules in force at the time in respect of which the pay and allowances are earned; to leave by the rules in force at the time the leave is applied for and granted; and to pension by the rules in force at the time when the Government servant retires or is discharged from the service of Government:

Provided that, if during his service, changes disadvantageous to him are introduced in the rules, to which he became subject on entry into the service of Government, his pension shall not be less than that which would have been admissible but for the introduction of such changes.

7. Exercise and delegation of powers under these rules

No powers may be exercised or delegated under these rules except after consultation with the Finance Department. It shall be open to that Department to prescribe, by general or special order, cases in which its consent may be presumed to have been given.

Note.—For powers delegated under these rules, see Appendix I.

8. Reasons for concessions to be communicated to Audit Officer

When a competent authority, other than Government, communicates to the Audit Officer an order granting any concessions under these rules to any Government servant in cases in which it is prescribed that the reasons therefor should be recorded, he should at the same time forward to him a copy of his reasons.

CHAPTER II—DEFINITIONS

9. Unless the context otherwise requires, the terms defined in this Chapter are used in the various sets of the Maharashtra Civil Services Rules, in the sense here explained :—

(1) **Actual travelling expenses** means the actual cost of transporting a Government servant with his domestic servants and personal luggage, including charges for ferry and other tolls, if paid, and for carriage of camp equipment, if such is necessary. It does not include charges for accommodation in hotels and travellers' bungalows, or for refreshments, or for the carriage of stores or conveyances or for presents to drivers and the like; or any allowance for such incidental losses or expenses as the breakage of crockery, wear and tear of furniture, and the employment of additional domestic servants.

(2) **Allotment** means grant of a licence to a Government servant to occupy a house owned, leased or requisitioned by Government or a portion thereof for his use as residence.

(3) **Apprentice** means a person deputed for training in a trade or business with a view to employment in Government service, who is paid at monthly rates by Government during such training but is not employed in or against a substantive vacancy in the cadre of a department.

(4) **Audit Officer** means an Audit Officer, appointed by the Comptroller and Auditor General of India whatever his official designation, in whose circle of audit a public servant is serving, or (in respect to verification of service) has served.

(5) **Cadre** means the strength of a service or a part of a service sanctioned as a separate unit.

(6) **Camp equipage** means the apparatus for moving a camp. This term excludes camp equipments and means only moving apparatus or carriage which includes baggage—camels, pack bullocks, carts, drivers of the bullocks, etc. coolies who carry camp equipments and servants employed as tent-pitchers. Any private or extra servants are not included in this term.

(7) **Camp equipment** means tents and the requisites for pitching and furnishing them, or, where tents are not carried, such articles of camp furniture as it may be necessary in the interests of public service for a Government servant to take with him on tour.

(8) **Compensatory allowance** means an allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed. It includes different types of travelling allowances.

(9) **Competent authority**, in relation to the exercise of any power, means Government, or any authority to which the power is delegated by or under these rules.

(10) **Consolidated Fund of India or the State**. All revenues received by the Government of India, all loans raised by that Government by the issue of treasury bills, loans or ways and means advances and all moneys received by that Government in repayment of loans shall form one consolidated fund to be entitled "the Consolidated Fund of India". Similarly all revenues received by the Government of a State, all loans raised by that Government by the issue of treasury bills, loans or ways and means advances and all moneys received by that Government in repayment of loans shall form one consolidated fund to be entitled "the Consolidated Fund of the State".

(11) **Constitution** means the Constitution of India.

(12) **Date of first appointment** means the date the Government servant assumes the duties of his first post in Government service, or, if this be earlier, the date of his assumption of any duty which is treated, as service counting for pension.

(13) **Day** means the period beginning from one midnight and ending with the next midnight.

(14) **Duty**.—Duty includes—

(a) service as a probationer;

(b) joining time;

(c) a course of instructions or training authorised by or under the orders of Government;

(d) a course of instruction or training authorised by—

(i) Director of Social Welfare in the case of the members of the staff of the Social Welfare Officer deputed to undergo a course of training in making estimates and plan drawing before their confirmation,

(ii) Director of Education in the case of teachers of the educational staff who undergo a course of training or instructions at training colleges or schools, and

(iii) Director of Agriculture in respect of staff who undergo a course in agriculture or any other training preparatory to appearing for the Sub-service Department Examination.

Note 1.—The time reasonably required for the journeys between the place of training and the station from which a Government servant proceeds in order to undergo training, is part of the period of training.

Note 2.—The period spent by candidates (other than candidates not already in Government service admitted after the 15th August, 1939) at the Central Police Training College, Nashik, for training and the interval between the satisfactory completion of the course and their assumption of duty should be regarded as duty for the purpose of this rule.

In the case of Military Officers and other ranks, who join the Police Force as Sub-Inspectors and whose period of probation is treated as Vocational Training under section 40 of Army Vocational Training (India), 1933, their services in the Police shall count from the dates they formally leave the Army, since, until that date, the time spent on vocational training is included in the period of their military service and they are borne on the military establishment.

Note 3.—The period spent by candidates (other than candidates not already in Government service admitted on or after the 22nd April 1962) in the Prohibition and Excise Department for training and interval between the completion of the course and their assumption of duty, should be regarded as duty for the purpose of this rule.

Note 4.—The period spent by the Sales Tax Inspectors in the Sales Tax Department for the training and the interval between the completion of training and their assumption of duty as Sales Tax Inspector in the regular time scale of pay should be regarded as duty for the purpose of this rule.

Note 5.—When one or more holidays follow the period of training, the training period may be deemed to have been extended to cover such holidays.

(e) the period occupied—

(i) in appearing for a language examination prescribed by Government at which a Government servant has been granted permission to appear,

(ii) in attending an obligatory departmental examination,

(iii) in attending an examination which a Government servant must pass to become eligible for a higher post in any branch of the Public Service,

including the time reasonably necessary for going to and from the place of examination.

This concession should not be allowed more than twice for each obligatory examination.

Note 1.—If an examination is taken immediately before leave, the leave shall be held to have commenced from the date following that of the completion of the examination. In cases where an examination is taken in interruption of leave or immediately after leave, the time occupied in appearing for the examination, including the time necessary for going to and from the place of examination, shall be treated not as duty but as leave.

Note 2.—The period occupied in appearing for the Maharashtra Accounts Clerks' Examination including the time reasonably necessary for going to and from the place of examination on voluntary basis should be treated as duty. This concession should not be allowed more than twice.

(f) the period for which a Government servant is required to wait compulsorily until receipt of his posting orders in the cases mentioned below:—

(i) whose orders of transfer are held in abeyance, cancelled or modified while in transit, or

(ii) who, on return from leave or deputation or on abolition of the post held by him, has to await receipt of posting orders, or

(iii) who, on arrival at the headquarters of the post to which he is posted is not in a position to take charge of the post from the Government servant to be relieved.

The period availed of to resume duties after the receipt of posting orders shall not exceed the joining time admissible under the rules and shall be treated as a continuation of the period of compulsory waiting.

(g) the period intervening between the date on which a Government servant is engaged temporarily for special or other duty and the date on which he takes over charge, provided the period does not exceed the joining time that would be permissible to a Government servant entitled to joining time;

(h) the period spent by Government servant on training mentioned below:—

(i) training in accordance with the Regulations of the Army in India Reserve of Officers,

Note.—In the case of civil officers granted Commissions in the Army in India Reserve of Officers the period of training will not include the time spent in journey to and from the station at which the training is carried out. The time spent by these officers in journeying to and from the place of training should be treated as duty and acting arrangements may be made during that time.

(ii) training in the Indian Naval Fleet Reserve and on the journey to and from the place of training,

(iii) annual training courses of instruction or military service in accordance with the Regulations for the Territorial Army, 1948,

(iv) on Home Guard training or Home Guard duties with the permission of the Head of his office,

(v) in training or in the camp in accordance with the rules of the National Cadet Corps and also such period of the vacations as are spent by National Cadet Corps Officers (Senior Division) who are Government servants holding officiating charge of units during the absence of regular Commanding Officers,

(vi) training and active service in the Army and Air Force Reserves and the Indian Fleet Reserve/Air Defence Reserve and/ or on journey to and from the place of training, in case leave in respect of their civil appointment is not availed of during training and transit period,

(vii) training at a Boy Scouts' Camp,

Note.—No travelling or halting allowance is admissible in respect of this duty.

(i) additional leave on full pay not exceeding three weeks granted to a Government servant undergoing anti-rabic treatment, admissible under Appendix 15 of Bombay Financial Rules, 1959;

(j) the period spent by a Government servant in connection with work on the various University bodies in the Maharashtra State—

(a) as representatives of Government or *ex-officio*.

(b) by virtue of his Official position such as Principal of a College,

and

(c) for attending the meeting of a Board of Studies.

(15) **Emoluments** for the purpose of rules in the Maharashtra Civil Services (Occupation of Government Residences) Rules mean—

(i) pay,

(ii) payments from the Consolidated Fund of India or of the State and only that portion of the fees received by a Government servant which he is allowed to retain under the rules, if such payments or fees are received in the shape of a fixed addition to monthly pay and allowances as part of the authorised remuneration of a post,

(iii) compensatory allowances other than travelling allowance, uniform allowance, clothing allowance, outfit allowance, special outfit allowance, uniform grant and grant for horse and saddlery whether drawn from the Consolidated Fund of India or of the State or from a Local Fund,

(iv) pension and pension equivalent of death-cum-retirement gratuity except in the following:—

(a) Wound or Injury Pension and Family Pensions drawn under the provisions of Maharashtra Civil Services (Pension) Rules,

(b) Compensation received under the Workmen's Compensation Act, 1923, as subsequently amended,

(v) in the case of a Government servant under suspension and in receipt of a subsistence allowance, the amount of the subsistence allowance :

Provided that, if such Government servant is subsequently allowed to draw pay for period of suspension, the difference between the licence fee recovered on the basis of the subsistence allowance and the licence fee due on the basis of the emoluments ultimately drawn shall be recovered from him :

Provided further that if such Government servant is subsequently reinstated and the period of suspension is treated as leave, the difference between the licence fee recovered on the basis of the subsistence allowance and the licence fee due on the basis of emoluments defined in Note I below shall be recovered from him.

Allowances attached to the President's Police and Fire Services Medal, the Police Medal, or the Indian Order of Merit, Param Vir Chakra, Maha Vir Chakra, Vir Chakra are not included in the emoluments.

Note 1.—The emoluments of a Government servant on leave mean the emoluments drawn by him for the last complete calendar month of duty performed by him prior to his departure on leave.

Note 2.—The word "Pension" occurring in clause (iv) above means the full sanctioned pension prior to commutation.

(16) **Family** means a Government servant's wife or husband, as the case may be, residing with the Government servant and legitimate children and step-children residing with and wholly dependent upon the Government servant. It includes, in addition, parents, sisters and minor brothers if residing with and wholly dependent upon the Government servant.

Note 1.—Not more than one wife is included in the term "family" for the purpose of these rules.

Note 2.—An adopted child shall be considered to be a legitimate child if, under the personal law of the Government servant, adoption is legally recognised as conferring on it the status of a natural child.

(17) **Fee** means a recurring or non-recurring payment to a Government servant from a source other than the Consolidated Fund of India or the Consolidated Fund of a State or the Consolidated Fund of a Union Territory, whether made directly to the Government servant or indirectly through the intermediary of Government, but does not include—

(i) unearned income such as income from property, dividends, and interest on securities; and

(ii) income from literary, cultural, or artistic, scientific or technological efforts if such efforts are not aided by the knowledge acquired by the Government servant in the course of his service.

Note.—The above definition is not applicable to the fees payable from the Consolidated Fund under the Law Officers (Conditions of Service) Rules.

(18) **First appointment** means the appointment of a person who is not holding any appointment under Government, even though he may have previously held such an appointment.

(19) **Foreign service** means service in which a Government servant receives his pay with the sanction of Government from any source other than the Consolidated Fund of India or of a State, or of a Union Territory.

(20) A **Gazetted Government servant** is one who is a member of an All India or State Service or a person appointed in accordance with the terms of a contract or agreement and whose appointment is gazetted by Government. Members of the Subordinate Civil Services, whose appointments are gazetted by Heads of Departments are Non-gazetted Government servants. Notifications investing Government servants with powers under different Acts, in order that the Courts may take judicial cognizance of them, do not constitute the persons invested with such powers as Gazetted Government servants within the meaning of this sub-rule.

Exception.—Officers whose appointments to Class II services or posts are made by the Heads of Departments or Heads of Offices subordinate to them and are not published in the Gazette should be treated as Gazetted Government servants.

(21) **Government**, unless there is anything repugnant in the subject or context, as respects anything done or to be done after the commencement of the Constitution, shall mean the Governor of Maharashtra.

(22) **Heads of Departments**. This term includes the officers mentioned in Appendix II and any others whom Government may from time to time declare to be Heads of Departments.

(23) **Holiday** means—

(a) a holiday prescribed or notified by or under section 25 of the Negotiable Instruments Act, 1881; and

(b) in relation to any particular office, a day on which such office is ordered by Government, or by a duly constituted authority, by notification in the Gazette or otherwise, to be closed for the transaction of Government business without reserve or qualification.

(24) **Honorarium** means a recurring or non-recurring payment granted to a Government servant from the Consolidated Fund of India or the Consolidated Fund of the State or of a Union Territory as remuneration for special work of an occasional character.

(25) **House-rent allowance** is an allowance granted—

(a) towards defraying house-rent in localities where such rents are high, or

(b) in lieu of free quarters.

(26) **Class IV service** means service performed by a Government servant in a post specifically classified as Class IV and such other unclassified Non-gazetted posts the maximum of the scale of which is equal to or less than Rs. 435.

(27) **Joining time** means the time allowed to a Government servant to join a new post or to travel to or from a station to which he is posted.

(28) **Leave** means permission to remain absent from duty granted by a competent authority under the Maharashtra Civil Services (Leave) Rules, 1981.

(29) **Leave-salary** means the monthly amount paid by Government to a Government servant on leave.

(30) **Lien** means the title of a Government servant to hold substantively, either immediately or on the termination of a period or periods of absence, a permanent post, including a tenure post, to which he has been appointed substantively.

(31) **Local allowance** is an allowance granted on account of the expensiveness or unhealthiness of an area. It is admissible to Government servants who have their headquarters within the area for which it is sanctioned, and not to Government servants merely travelling in that area.

(32) **Local Fund** means—

(a) revenues administered by bodies, which by law or rule having the force of law come under the control of Government whether in regard to proceedings generally or to specified matters, such as the sanctioning of the budgets, sanction to the creation or filling up of particular posts, or the enactment of leave, pension, or similar rules; and

(b) the revenues of any body which may be specially notified by Government as such.

(33) **Ministerial servant** means a Government servant of a Class III services, whose duties are entirely clerical, and any other class of servants specially defined as such by Government.

(34) **Month** means a calendar month. In calculating a period expressed in terms of months and days complete calendar months, irrespective of the number of days in each, should first be calculated and the odd number of days calculated subsequently.

Instruction.—Calculations of period expressed in terms of months and days should be made as under :—

(a) To calculate 3 months and 20 days on and from the 25th January, the following method should be adopted :—

	Y.	m.	d.
25th January to 31st January	0	7
February to April	0	3
1st May to 13th May	0	13
		<hr/>	<hr/>
		0	3 20

(b) The period commencing on 30th January, and ending with 2nd March should be deemed as 1 month and 4 days, as indicated below :—

	Y.	m.	d.
30th January to 31st January	0	2
February	0	1
1st March to 2nd March	0	2
		<hr/>	<hr/>
		0	1 4

(35) **Officiate.**—A Government servant officiates in a post when he performs the duties of a post on which another person holds a lien. A competent authority, may if it thinks fit, appoint a Government servant to officiate in a vacant post on which no other Government servant holds a lien.

(36) **Pay** means the amount drawn monthly by a Government servant as—

(i) the pay (including special dearness pay) which has been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reason of his position in a cadre; and

(ii) personal pay, and special pay; and

(iii) any other emoluments which may be specially classed as pay by Government.

(37) **Pension** includes a gratuity.

(38) **Pensionable Pay** means the average pay earned by a Government servant during the last ten months' service.

Note 1.—The officiating pay/special pay/deputation (duty) allowance drawn from the Consolidated Fund of India by State Government employees on deputation to the Government of India, shall be taken into account for calculating pensionable pay.

Note 2.—The pay drawn by a Government servant while on foreign service shall not count for pension. In such a case the pay which the Government servant would have drawn under the Government had he not been sent on foreign service, will alone be taken into account while calculating pensionable pay.

(39) **Pensionable service** means service which qualifies the Government servant performing it to receive a pension from the Consolidated Fund.

(40) **Permanent post** means a post carrying a definite rate of pay sanctioned without limit of time.

(41) **Personal pay** means additional pay granted to a Government servant—

(a) to save him from a loss of substantive pay in respect of a permanent post other than a tenure post due to a revision of pay or due to any reduction of such substantive pay otherwise than as a disciplinary measure; or

(b) in exceptional circumstances, on other personal considerations

(42) **Presumptive pay** of a post, when used with reference to any particular Government servant, means the pay to which he would be entitled if he held the said post and were performing its duties; but it does not include special pay unless the Government servant performs or discharges the work or responsibility, in consideration of which special pay was sanctioned.

(43) **Probationer** means a Government servant employed on probation in or against a substantive or temporary vacancy in the cadre of a department.

Note 1.—No person appointed substantively to a permanent post in a cadre is a probationer, unless definite conditions of probation have been attached to his appointment, such as the condition that he must remain on probation pending the passing of certain examination.

Note 2.—A Government servant (other than one who holds substantively a permanent post) appointed on promotion to a temporary post will be treated for all purposes as a temporary Government servant.

Note 3.—The status of a probationer is to be considered as having the attributes of a substantive status except where the rules prescribe otherwise.

(44) **Public Account of India or the State** means all other public moneys excluding those referred to in sub-rule (10) received by or on behalf of the Government of India or the Government of a State.

(45) **Public conveyance** means a train, steamer, aircraft or other conveyance which plies regularly, though not necessarily at fixed intervals, a regular course for the conveyance of passengers and does not deviate therefrom according to the wishes of the passengers.

(46) **Registered medical practitioner** means a medical practitioner registered under the Maharashtra Medical Council Act, LXVI of 1965, or the Maharashtra Medical Practitioners Act, XXVIII of 1961, or a practitioner registered under Part A or Part B of the Register maintained under the Maharashtra Homoeopathic and Biochemic Practitioners Act, XII of 1960, or any other law corresponding thereto and in force in the State of Maharashtra, or the respective Medical Registration Acts of the several State Governments.

(47) **Selection grade** means a scale of pay which has been sanctioned specifically as a selection grade by an order of Government.

(48) **Special pay** means an addition, of the nature of pay, to the emoluments of a post or of a Government servant granted in consideration of—

- (a) the specially arduous nature of the duties;
- (b) a specific addition to the work or responsibility.

(49) **Sphere of duty** means the area to which the duties of a Government servant are confined.

(50) **Subsistence allowance** means a monthly grant made to a Government servant who is not in receipt of pay or leave-salary.

(51) **Substantive pay** means the pay other than special pay, personal pay or emoluments classed as pay by Government under sub-rule 36(iii) to which a Government servant is entitled on account of a post to which he has been appointed substantively or by reasons of his substantive position in a cadre.

(52) **Superior service** means any kind of service which is not class IV.

(53) **Temporary post** means a post carrying a definite rate of pay sanctioned for a limited time.

Note.—Substantive appointments to temporary posts should be made in a limited number of cases only, as for example, when posts are, to all intents and purposes, quasi-permanent or when they have been sanctioned for a period of not less than, or there is reason to believe that they will not terminate within a period of three years. In all other cases, appointments in temporary posts should be made in an officiating capacity only.

Instruction.—The benefit of substantive appointments to temporary posts contemplated in the above note should not be allowed to be enjoyed by more than one person simultaneously. Therefore, where a Government servant has already been appointed substantively to a temporary post and there is a temporary interruption in his tenure of the post, it would not be proper to appoint another Government servant substantively to the post during such temporary interruption. For this purpose, interruptions which are likely to last for less than 3 years may be treated as temporary. It follows, therefore, that where a Government servant is already appointed substantively to a temporary post, a second Government servant should not be appointed substantively to it unless the previous holder of the post has been transferred from it permanently or unless he has been transferred temporarily and there is reason to believe that he will remain absent from the post for a period of not less than three years.

(54) **Tenure post** means a permanent post which an individual Government servant may not hold, for more than a limited period without reappointment.

Note.—The following posts in State and Class I services have been declared by Government to be tenure posts:—

	Period of tenure (Years)
(1) Under Secretary to Government (when held by persons other than those promoted from the Subordinate Secretariat Service).	3
(2) Deputy Secretary (Criminal Law) in the Law and Judiciary Department.	5
(3) Solicitor (Mofussil Litigation)	5
(4) Three posts of Assistant Directors of Social Welfare	3

(55) (a) **Time-scale pay** means pay which, subject to any conditions prescribed in these rules, rises by periodical increments from a minimum to a maximum.

(b) Time-scales are said to be identical if the minimum, the maximum, the period of increment and the rate of increment of the time-scales are identical.

(c) A post is said to be on the same time-scale as another post on a time-scale if the two time-scales are identical and the posts fall within a cadre, or a class in a cadre, such cadre or class having been created in order to fill all posts involving duties of approximately the same character or degree of responsibility in a service or establishment or group of establishments; so that the pay of the holder of any particular post is determined by his position in the cadre or class and not by the fact that he holds that post.

(56) **Transfer** means the movement of a Government servant from one headquarter station in which he is employed to another such station, either—

- (a) to take up the duties of a new post; or
- (b) in consequence of a change of his headquarters.

(57) **Transit time** means the actual time required to reach the destination of tour from the headquarters or from one outstation to another outstation by the ordinary mode of travel.

(58) **Travelling allowance** means an allowance granted to a Government servant to cover the expenses which he incurs in travelling in the interest of the public service. It includes allowances granted for the maintenance of conveyances, horses and tents.

CHAPTER III—GENERAL CONDITIONS OF SERVICES

10. Age limit for recruitment to pensionable service

Except as provided in the Maharashtra Civil Services Classification and Recruitment Rules, a person whose age exceeds 28 years may not be appointed to a post in pensionable service.

Note.—This rule does not apply to employment in civil capacities of reservists and pensioners of the Armed Forces of India.

11. Certificate of physical fitness a prerequisite for substantive appointment or continuance in service

(1) Every Government servant shall produce a medical certificate of health either before he is appointed substantively to a permanent post or before he completes six months' service from the date of appointment, whichever is earlier.

(2) The limit of six months prescribed in sub-rule (1) above is the maximum one and the Head of Office should, in the case of Government servants who, on their appointment, are expected to continue in Government service for more than six months, require them to produce medical certificates of fitness for Government service within two months from the dates of joining service. These time limits for producing the medical certificate are also applicable from the date of appointment to the higher post in cases where fresh medical examination is necessary under sub-rule (4) of rule 15.

Note 1.—Rules for the examination of the candidates as to their physical fitness for Government service have been embodied in Appendix III.

Note 2.—Part-time Government servants should be required to produce medical certificates of fitness in the same manner and under the same condition as full-time Government servants.

Note 3.—Normally a person for an appointment under Government should be medically examined before his appointment. In cases, however, where a person is required to join immediately for work or for training, appointment may be made without first obtaining the medical certificate but the appointment should be subject to his being declared medically fit by an appropriate Medical Authority. In all such cases, if a Government servant is declared unfit for service on medical examination and he prefers an appeal under rule 18 in Appendix III, he should be retained in service till the appeal is finally decided. Efforts should be made to obtain the decision early. If the candidate is found responsible for causing delay, his services should be terminated forthwith.

Note 4.—In the case of a Government servant whose appointment is made on temporary basis without a medical certificate, it is necessary to get a certificate of fitness from the appropriate Medical Authority as required by rule 15(1) and rule 11 in Appendix III. If a Government servant is found unfit for retention in service at all by the appropriate Medical Authority and if an appeal for a second medical examination from him is accepted, he should be allowed to continue in service till the verdict of appropriate Medical Authority is known. In case it is decided not to accede to his request for second medical examination or, if he is found to be responsible for causing delay in obtaining the verdict of the appropriate Medical Authority on his appeal, his services should be terminated forthwith.

Note 5.—(i) For a proper observance of the procedure in the Notes 3 and 4 above, it is necessary that intimation regarding unfitness should immediately on receipt, be communicated to the person concerned with a note that appeal, if any, must be made by the Government servant concerned, within one month of the communication of the findings of the Medical Officer and that if any medical certificate issued by the Registered Medical Practitioner is produced as piece of evidence about the possibility of an error of judgement in the decision of the Medical Officer who examined him in the first instance, the certificate must contain a note by the medical practitioner concerned to the effect that it has been given in full knowledge of the fact that the candidate has already been rejected as unfit for Government service by the Medical Officer.

(ii) In case no appeal is preferred by the Government servant within one month of the date of communication to him of the findings of the Medical Officer, his services should be terminated forthwith on expiry of the period of one month and no appeal should be allowed after expiry of that period.

12. Form of medical certificate

A medical certificate of fitness for Government service shall be in the following form:—

1. Name of candidate.....
2. The post to which appointed.....
3. Department in which appointed.....
4. The age according to candidate's own statement.....
5. Age as by appearance to the Medical Officer.....
6. Whether vaccinated or not.....
7. Left hand thumb impression of the candidate.....
8. Marks of identification.....

I certify that I have examined the abovementioned candidate and cannot discover that he/she has any disease (communicable or otherwise), constitutional weakness or bodily infirmity, exceptI do not consider this a disqualification for employment in the office of as.....

13. Who should sign a medical certificate

Such a certificate shall be signed by the Medical Officer prescribed in rule 1 of Appendix III and in the case of females, shall be regarded as confidential.

14. A Government servant with a defect transferred to another office

When a Government servant, in whom a defect has been noticed by the examining officer, is transferred from one office to another, the duties of which are different in character, the authority competent to sign a medical certificate of physical fitness for Government service should report whether the defect will materially interfere with the discharge of his new duties by the Government servant transferred.

15. Production of medical certificate within six months in temporary employ

(1) No person, who has already completed six months' temporary (including officiating) service in the employment of Government, or who having been discharged before completing six months, is re-engaged in such service and completes six months from the date of re-engagement, shall be continued in employment without production of a medical certificate in the form given in rule 12.

(2) No person, who after completing six months' temporary service (including officiating service) in the employment of Government is discharged before the production of the medical certificate mentioned in sub-rule (1) above, shall be re-engaged without the production of such a medical certificate.

It is the responsibility of the Head of Office to see that no person under him is continued in employment after completing relevant period of service (six months or two months as the case may be) unless that person produces the required medical certificate. To meet the requirement of Audit, a certificate to the effect, that the medical certificate in the prescribed form required under sub-rules (1) and (2) above has been obtained in respect of the Government servant and that he has been declared fit, should be furnished to the Audit. Such certificate should accompany the first bill in which the pay of the Government servant is drawn after the date on which the medical certificate becomes due, or, if this cannot be done for good and sufficient reasons, to the next such bill. The procedure for furnishing this certificate in respect of Gazetted and Non-gazetted officers shall be as under:—

(a) In respect of Gazetted Government servant, certificate by the competent authority to whom the medical certificate has been submitted, should be attached to the first pay bill;

(b) In respect of Non-gazetted Government servant, the Drawing and Disbursing Officer should furnish such certificate along with the first pay bill of the Government servant concerned.

(3) When a person who has produced the medical certificate required under rule 11 is discharged from Government service and is re-engaged, a fresh medical certificate need not be produced by him if the re-engagement takes place within the period of six months from the date of the medical certificate already produced. In such a case, the period between the date of discharge and the date of re-engagement will not be treated as a break for the purposes of rule 11.

(4) If a Government servant is subsequently appointed to any higher post, fresh medical examination, by appropriate medical authority and in accordance with standard prescribed for the post, shall be necessary except in cases where the medical examination

already undergone at the time of initial appointment was of the same standard and by the same medical authority as prescribed for the new appointment or where the new appointment is by way of promotion in the same line of promotion and against promotion quota of vacancies.

Exception.—In the case of Government servants in Class III Secretariat service, in reckoning the period of six months, broken periods of service of less than six months should be counted.

16. Entry in service book about medical examination

The fact that a Government servant is medically examined and found fit should be recorded in his service book as soon as a certificate is produced and the medical certificate of fitness should be kept in safe custody along with the other documents connected with his service career.

17. Invalid pensioner must produce certificate from a Medical Committee before re-employment

No person invalidated from Government service should be re-employed except on the strength of a certificate from a Medical Committee. The Committee should invariably include a Specialist of the disease for which the person was invalidated.

18. Re-employment immediately after retirement

A retired Government servant re-employed within six months from the date of retirement may be exempted from producing a medical certificate of health. In cases other than those referred to in rule 17, where the re-employment does not take place within six months from the date of retirement, the appointing authority will decide whether a medical certificate should be produced.

19. Condonation of disabilities when permitted and by whom

When a candidate for Government service is rejected by the Medical Officer examining him on account of any disability, except eye defects, the Director of Health Services may, upon the request of the Head of the Office, at his discretion, condone such disabilities as are not likely to interfere with the efficiency of the candidate.

20. Acquiring and ceasing of a lien

Unless in any case it be otherwise provided in these rules, a Government servant on substantive appointment to any permanent post acquires a lien on that post and ceases to hold any lien previously acquired on any other post.

21. Restrictions over holding of lien on posts by Government servant at same time

(1) Two or more Government servants cannot be appointed substantively to the same permanent post at the same time.

(2) A Government servant cannot be appointed substantively to two or more separate and permanent posts at the same time.

(3) A Government servant cannot be appointed substantively to a post on which another Government servant holds a lien.

22. Retention of a lien

Unless his lien is suspended under rule 23 or transferred under rule 26, a Government servant holding substantively a permanent post retains a lien on that post—

(a) while performing the duties of that post;

(b) while on foreign service or holding a temporary post, or officiating in another post, or holding a post the pay of which is charged to works or contingencies;

(c) during joining time on transfer to another post, unless he is transferred substantively to a post on lower pay, in which case lien is transferred to the new post from the date on which he is relieved of his duties in the old post;

(d) while on leave other than refused leave granted after the date of retirement;

(e) while under suspension.

Note.—A Government servant confirmed in a permanent post, which is subsequently held in abeyance (because it is not required for active duty) continues to hold a lien on that post during the period the post is held in abeyance.

23. Suspension of a lien

(1) A competent authority shall suspend the lien of a Government servant on a permanent post which he holds substantively if he is appointed in a substantive capacity—

(a) to a tenure post, or

(b) provisionally, to a post on which another Government servant would hold lien had his lien not been suspended under this sub-rule.

(2) A competent authority may, at its option, suspend the lien of a Government servant on a permanent post which he holds substantively if he is deputed out of India or transferred to foreign service or in circumstances not covered by sub-rule (1) of this rule is transferred, whether in a substantive or in an officiating capacity, to a post in another cadre, and if in any of these cases there is reason to believe that he will remain absent from the post on which he holds a lien for a period of not less than three years.

Note.—When it is known that a Government servant on transfer to a post outside his cadre is due to retire on superannuation within three years of his transfer, his lien on his cadre post cannot be suspended.

(3) Notwithstanding anything contained in sub-rule (1) or (2) of this rule, a Government servant's lien on a tenure post may in no circumstances be suspended. If he is appointed substantively to another permanent post, his lien on the tenure post must be terminated.

(4) If a Government servant's lien on the post is suspended under sub-rule (1) or (2) of this rule, the post may be filled substantively, and the Government servant appointed to hold it substantively shall acquire a lien on it; provided that the arrangements shall be reversed as soon as the suspended lien revives.

Note 1.—This sub-rule also applies if the post concerned is a post in a selection grade of a cadre.

Note 2.—When a post is filled substantively under this sub-rule, the appointment will be termed a provisional appointment, the Government servant appointed will hold a provisional lien on the post; and that lien will be liable to suspension under sub-rule (1) but not under sub-rule (2) of this rule.

(5) A Government servant's lien which has been suspended under sub-rule (1) of this rule shall revive as soon as he ceases to hold a lien on a post of the nature specified in sub-rule (1) (b).

(6) A Government servant's lien which has been suspended under sub-rule (2) of this rule shall revive as soon as he ceases to be on deputation out of India or on foreign service or to hold a post in another cadre, provided that a suspended lien shall not revive because the Government servant takes leave if there is reason to believe that he will, on return from leave, continue to be on deputation out of India or on foreign service or to hold a post in another cadre and the total period of absence on duty will not fall short of three years or that he will hold substantively a post of the nature specified in clause (a), or (b) of sub-rule (1).

Instruction.—Under the existing provisions of this rule, it is possible for more than one person to be appointed in a provisional substantive capacity against a single post. The operation of this rule should, however, be restricted so as to permit only one provisional substantive appointment against one post. Accordingly, the lien acquired by a Government servant on his appointment in a provisionally substantive capacity under sub-rule (4) of this rule, should not be suspended if he is deputed out of India or is transferred to a post of the nature specified in sub-rule (2) of this rule.

24. Suspension of the lien retrospectively and consequential promotion

When suspension of the lien of a Government servant is sanctioned under sub-rule (2) of rule 23, it is permissible retrospectively from the date he is deputed out of India or transferred to foreign service, or is transferred in an officiating capacity to a post either permanent or temporary in another cadre or from any subsequent date; but whether provisional substantive promotions should be given from that date or from any subsequent date is a matter which is entirely at the discretion of the authority whose duty is to fill up the post if permanently vacant.

25. When a lien or a suspended lien cannot be terminated

(1) Except as provided in sub-rule (2) below, a Government servant's lien on a post may in no circumstances be terminated even with his consent, if the result will be to leave him without a lien or a suspended lien upon a permanent post.

(2) A Government servant's lien on a post shall stand terminated on his acquiring a lien on a permanent post (whether under the Central Government or State Government) outside the cadre in which he is borne.

26. Transfer of the lien to another post

Subject to the provisions of the rule 27, a competent authority may transfer to another permanent post in the same cadre the lien of a Government servant who is not performing the duties of the post to which the lien relates, even if that lien has been suspended.

27. When transfer to a post carrying less pay is permissible

(1) A Government servant may be transferred from one post to another, provided that, except—

- (a) on account of inefficiency or misbehaviour, or
- (b) on his written request, or
- (c) in anticipation of the abolition of the post on which he holds a lien, or
- (d) where the medical certificate granted under Maharashtra Civil Services (Pension) Rules, certifies the person to be fit for service of a less laborious character than that which he has been performing.

a Government servant shall not be transferred substantively to, or, except in a case covered by rule 56 of Maharashtra Civil Services (Pay) Rules, 1981 appointed to officiate in a post carrying less pay than the pay of the permanent post on which he holds a lien, or would hold a lien, had his lien not been suspended under rule 23.

(2) Nothing contained in sub-rule (1) of this rule or in sub-rule (30) of rule 9 shall operate to prevent the re-transfer of a Government servant to the post on which he would hold a lien, had it not been suspended in accordance with the provision of sub-rule (1) of rule 23.

28. Date from which pay and allowances take effect

Subject to any exceptions specifically made in these rules, a Government servant commences or ceases to be entitled to the pay and allowances of a post with effect from the date on which he assumes or relinquishes charge of the duties of that post, if he assumes or relinquishes charge of those duties in the forenoon of that day; otherwise from the following day.

Exception.—For a period of not more than three days spent by a direct recruit to the post of a Deputy Engineer in taking over charge of his post on first appointment, he should be granted his grade pay excluding any special pay or allowance (but including dearness allowance) to which he would be entitled on assumption of complete charge.

29. Relieving Government servant to intimate probable date of joining to the Government servant to be relieved

Every relieving Government servant is responsible for informing the Government servant to be relieved, at the earliest possible moment, of the date when he will be in a position to receive charge, and it is the duty of the Government servant to be relieved to be in readiness to deliver charge on that date.

30. How the date of handing over charge is determined

When more than one day is occupied in making over charge, the last day should be entered in the report, and an explanation should be submitted.

31. Charge must be handed over at the headquarters, both relieved and relieving Government servants to be present

Except as otherwise provided below, the charge of a post must be made over at the headquarters, both the relieving and relieved Government servants being present—

(a) Permission may be granted to a Government servant serving in Vacation Department to make over charge of a post elsewhere than at its headquarters, excepting to a Head of an Institution under the Education Department. In such cases the amount of travelling allowance claimed by Government servant concerned shall not exceed the amount admissible to him while on transfer.

(b) For special reasons which must be expressed on the face of the order and be of a public nature, a competent authority may permit the charge to be made over elsewhere.

(c) In exceptional circumstances, which should be recorded, a competent authority may permit the charge of a post to be made over in the absence of the relieved Government servant by letter or by telegram at or outside the headquarters of the post.

(d) In case of persons who are permitted to combine vacation with leave, the following procedure may be followed:—

Before proceeding on leave to which he has been allowed to prefix vacation, a Government servant should sign a charge report making over charge with effect from the date on which his leave commences and hand over the report to a responsible member of his office staff with instructions to deliver it for signature to his successor on the latter's arrival to take over the duties of the post. Similarly, when a Government servant is permitted to affix vacation with leave the Government servant, who was officiating during the leave, should at the commencement of the vacation, sign a charge report making over the charge from the beginning of the vacation and hand over the report to a responsible member of his office staff for delivery to

his successor on the latter's return at the close of the vacation. In both cases, the report when completed, should be forwarded at once to the Audit. The term "vacation" in this exception includes holidays.

Instruction.—It shall be permissible for a Government servant to take over charge on a public holiday provided the procedure laid down in this rule is followed and the charge is handed over by the relieved officer in person; provided further that taking over of charge does not involve handing over and taking over cash and securities.

Note.—See rule 48 of Maharashtra Civil Services (Pay) Rules, 1981.

32. How the date of promotion is determined

The promotion of a Government servant from a lower to a higher post, his duties remaining the same, takes effect from the date on which the vacancy occurs, unless it is otherwise ordered. But when the promotion involves the assumption of a new post with enlarged responsibilities, the higher pay is admissible only from the date on which the duties of the new post are taken.

33. Provident and other funds

A Government servant may be required to subscribe to a Provident Fund or other similar fund, in accordance with such rules as Government may by order prescribe.

34. Whole time of a Government servant to be at the disposal of Government

Unless in any case it be otherwise distinctly provided, the whole time of a Government servant is at the disposal of Government and he may be employed in any manner required by the proper authority, without a claim for additional remuneration, whether the services required of him are such as would ordinarily be remunerated from the Consolidated Fund of India or of a State or from the revenues of local fund, or from the funds of a body incorporated or not, which is wholly or substantially owned or controlled by the Government.

CHAPTER IV—MAINTENANCE OF RECORD OF SERVICE

35. Maintenance of service record of Gazetted Government servant

A record of the services of each Gazetted Government servant except the Gazetted Government servants whose pay and allowances are drawn by the Heads of Offices on establishment bills, shall be maintained by the Audit Officer who usually audits his pay or who accounts for the contribution recovered from the foreign employer in the case of a Government servant lent to foreign service.

36. Maintenance of service record of Non-gazetted Government servant

A service book in the prescribed Form in Appendix IV should be opened in duplicate for every Non-gazetted Government servant free of charge on his being appointed substantively or in an officiating capacity to a permanent post or appointed to hold a temporary post in Government service for the first time with the following exceptions :—

(a) Government servants, the particulars of whose service are recorded in a history of services or a service register maintained by an Audit Officer;

(b) Government servants officiating in posts or holding temporary posts, who are recruited for purely temporary or officiating vacancies not likely to last for more than one year and are not eligible for permanent appointment;

(c) Housemen, Registrars, Clinical Assistants, Resident Pathologists and Resident Trainee Anaesthetists in the Medical Department;

(d) Policemen of rank not higher than that of Head Constable;

(e) Prohibition and Excise constabulary staff;

(f) Forest Guards;

(g) Class IV servants of all sorts.

One copy should be kept in the custody of the Head of the Office in which the Government servant is serving, and transferred with him from office to office; the other copy should be given to the Government servant concerned. In the case of the copy kept in the custody of Head of the Office, it is his duty to see that all entries are duly made and attested.

Instruction.—While handing over the duplicate copy of the service book to the Government servant it should be impressed on him that he should verify that the entries made therein are correct and attested by the Head of the Office and he should also ensure that all subsequent entries are made in the duplicate service book which should be attested by the officer competent to do so. For this purpose he should submit his copy of the service book when an occasion arises for making a fresh entry and he should carefully see that entries in both the books tally and are up to date.

The Head of Office shall also obtain a declaration each year from each Government servant for whom a service book is maintained, to the effect that he has carefully gone through the entries made in his duplicate service book and has satisfied himself that all the relevant entries are made therein and that they are upto date. A certificate to the effect that he has obtained declarations as above should be submitted by the Head of Office to his next superior officer by the end of every September.

37. Maintenance of service rolls

A service roll, free of charge, as described in rule 46, must be maintained for every other class of permanent, temporary or officiating Non-gazetted Government servants, for whom no service book is necessary except the Government servants mentioned in exceptions (a) and (b) under rule 36. One copy should be kept in the custody of the head of the office in which the Government servant is serving, and transferred with him from office to office, the other copy should be given to the Government servant concerned. In the case of the copy kept in the custody of the head of office, it is his duty to see that all entries are duly made and attested.

Instruction.—The instruction below rule 36 should be followed in respect of service rolls also.

38. Procedure for writing the events and recording the date of birth in the service book

(1) In the service book every step in a Government servant's official life, including temporary and officiating promotions of all kinds, increments and transfers and leave availed of should be regularly and concurrently recorded, each entry being duly verified with reference to departmental orders, pay bills and leave account and attested by the Head of the Office. If the Government servant is himself the Head of an Office, the attestation should be made by his immediate superior.

(2) While recording the date of birth, the following procedure should be followed:—

(a) The date of birth should be verified with reference to documentary evidence and a certificate recorded to that effect stating the nature of the document relied on;

(b) In the case of a Government servant the year of whose birth is known but not the date, the 1st July should be treated as the date of birth;

(c) When both the year and the month of birth are known, but not the exact date, the 16th of the month should be treated as the date of birth;

(d) In the case of a Government servant who is only able to state his approximate age and who appears to the attesting authority to be of that age, the date of birth should be assumed to be the corresponding date after deducting the number of years representing his age from his date of appointment;

(e) When the date, month and year of birth of a Government servant are not known, and he is unable to state his approximate age, the age by appearance as stated in the medical certificate of fitness, in the form prescribed in rule 12 should be taken as correct, he being assumed to have completed that age on the date the certificate is given, and his date of birth deduced accordingly;

(f) When once an entry of age or date of birth has been made in a service book no alteration of the entry should afterwards be allowed, unless it is known, that the entry was due to want of care on the part of some person other than the individual in question or is an obvious clerical error;

Instruction.—(1) Normally, no application for alteration of the entry regarding date of birth as recorded in the service book or service roll of a Government servant should be entertained after a period of five years commencing from the date of his entry in Government service.

(2) Subject to (1) above, the correct date of birth of a Government servant may be determined, if he furnishes a proof of age in any of the following forms:—

(a) His own statement or that of a parent, guardian, friend or relative;

(b) School Leaving Certificate, Secondary School Certificate Examination/Matriculation Certificate or University Certificate;

(c) Extract from a birth or baptismal register;

(d) Horoscope;

(e) Entry in family records or accounts books.

The proof at (a) above should not be accepted as sole proof of Government servant's age; also (b), (d) and (e) separately cannot always be depended on as reliable proof of age, while (c) cannot also furnish absolute proof unless the name of the child is registered.

(i) To ensure, as far as possible, that convincing and conclusive proof of age is forthcoming, a Government servant should be asked to produce both an extract from a birth or baptismal register and a School Leaving Certificate or Secondary School Certificate Examination/Matriculation Certificate or University Certificate giving the date of birth. An extract or certificate of birth (such as a baptismal certificate) where his name has been entered in the original birth register at the time of birth, should, however, be accepted as a sufficient proof.

(ii) If a Government servant is unable to produce any of the documents referred to in (i) above, a full explanation should be obtained from him and unless he can adduce satisfactory reasons for not producing them, other evidence such as horoscope, family records, accounts books, etc., should not be admitted.

(iii) Oral or written statements or affidavits of a Government servant or his relatives should not be accepted without the production of supporting evidence save in exceptional cases where the certifying authority is satisfied that for some good reason as direct evidence is available and that the person concerned is trustworthy and there is no reason to disbelieve him.

(3) All cases relating to alterations of dates of birth of Gazetted Government servants and such of the requests of Non-gazetted Government servants as are proposed to be entertained on merits in relaxation of instruction No. (1) above, should invariably be referred to the General Administration Department and the Finance Department through the Administrative Department concerned.

(3) Officers of a rank not lower than the Principal District Officer in the Department concerned may correct errors in the service book which are obviously clerical. Cases in which the correctness of the original entry is questioned on other grounds should be referred to a competent authority.

(4) Finger-prints of a Government servant who is not literate enough to sign his name in English, Hindi or Marathi should be recorded in the column headed "Personal marks of identification" in the service book itself. The impressions should not be taken on separate slips of paper and pasted to the service book.

Exemptions.—When a military employee is transferred to a civil department and assumes a civilian status or when a military employee discharged from the army without earning a pension is employed in a post in a civil department in which his military service counts towards pension, the date of birth to be entered in his service book or roll shall be either that entered by the Military Authorities in his form of attestation when he first joined the army or, if at the time of attestation he stated only his approximate age, the date arrived at by deducting the number of years representing his age from his date of appointment.

Note 1.—The latest discharge certificate (printed as Appendix V) issued to military employees on release of discharge does not provide for the age on the date of attestation or enrolment. It does, however, provide *inter alia* for (i) age at the time of completion of the certificate and (ii) date of enrolment. In such cases the age at the time of enrolment (attestation) should be worked out as indicated below:—

- (a) Calculate the difference between (i) the date of Commanding Officer's signature (*vide* space provided below serial No. 8 in the certificate) and (ii) the date of enrolment;
- (b) Deduct the period calculated as per (a) above from the age at the time of completion of the certificate (the date of the completion of the certificate *vide* serial No. 2 in the certificate).

Once the age at the time of enrolment is calculated the date of birth should be calculated as per the exemptions above.

Note 2.—Cases in which the date of birth has been deduced by any other method, from the age at appointment or attestation, or cases in which Government have passed specific orders accepting a particular date of birth, need not be re-opened.

39. Reasons for reduction, removal etc. to be stated in the service book

When a Government servant is reduced to a lower post, removed, or dismissed from service or suspended from employment, the reason for the reduction, removal, dismissal or suspension, as the

case may be, should always be briefly stated thus "Reduced for inefficiency", "Reduced owing to revision of establishment", etc. The Head of the Office should make efficient arrangement for these entries being made with regularity. This duty should not be left to the Non-gazetted Government servant concerned.

40. Personal certificates of character not to be entered in the service book

Personal certificates of character should not, unless the Head of the Department so directs, be entered in a service book.

41. Service books to be shown to Government servants by Head of Office

It shall be the duty of every Head of Office to initiate action to show the service books to Government servants under his administrative control every year and to obtain their signature therein in token of their having inspected the 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. The Government servants shall *inter alia*, ensure before affixing their signature that their services have been duly verified and certified as such. In the case of a Government servant on foreign service, his signature shall be obtained in his service book after the Audit Officer has made therein necessary entries connected with his foreign service.

42. Completion and movement of service book on transfer

When a Non-gazetted Government servant is transferred, 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 Government servant is transferred and the service book after being duly verified to date and attested by the Head of the Office, should be forwarded to the Head of the Office to which the Government servant has been transferred. The service book will thereafter be maintained in that 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 service book is taken over by him. The service book should not be made over to the Non-gazetted Government servant who has been transferred.

43. Events in foreign service to be entered in the service book of Non-gazetted Government servant by Audit Officer

When a Non-gazetted Government servant is transferred to foreign service, the Head of the Office or Department should send his service book to the Audit Officer. The Audit Officer will return it after noting therein over his signature the orders sanctioning the transfer and such particulars regarding the effect of the transfer in regard to leave admissible during foreign service as he may consider to be

necessary. On the Government servant's proceeding on leave from foreign service or on his retransfer to Government service his service book should again be sent to the Audit Officer who will then note in it over his signature, all necessary particulars connected with the leave or retransfer to Government service, including the fact of recovery of leave and pensionary contributions. No entry relating to the time spent in foreign service may be attested by any authority other than the Audit Officer.

44. Service book of a Non-gazetted Government servant officiating in a Gazetted post is to be maintained by the Head of Office in which he is working as a Gazetted Officer

When a Non-Gazetted Government servant is officiating in a Gazetted post, his service book should be maintained and kept by the Head of the Office in which he is working as a Gazetted Officer. The dates of promotion to and reversion from the Gazetted post, the changes in pay from time to time in the Non-gazetted post should be entered in the service book after ascertaining the same from the parent office, on the establishment of which he holds a lien on a Non-gazetted post. On his confirmation in the Gazetted post, the service book duly completed upto the date of confirmation should be forwarded to the Audit Officer who maintains the record of his service under rule 35.

45. Annual verification of service books and service rolls

The service books and service rolls (except in the case of police head constables and constables) in each office should be taken up for verification in May of every year by the Head of the Office. After satisfying himself that the services of the Government servant concerned are correctly recorded in his service book and service roll in conformity with these rules, he would record therein a certificate over his signature to the effect that the services have been verified up to the end of the preceding financial year from pay bills, acquittance rolls and similar records to be specified. If there is any portion of service that cannot be verified from office records distinctly the Head of the Office should state that for the excepted periods, which should be specified, a statement in writing by the Government servant as well as a record of the evidence of his contemporary employees is attached to the book.

Note.—At the time of forwarding service book to Government to which a person is transferred, it should be certified in the service book what service counts for pension in the light of the facts known then.

46. Maintenance of service rolls in respect of policemen

In the case of policemen of rank not higher than that of head constable, there must be maintained for each district by the Superintendent of Police, a service roll in which the following particulars should be recorded for each man in the constabulary holding substantively a permanent post and for each man in constabulary

officiating in a post or holding a temporary post, who is not recruited for a purely temporary or officiating vacancy for a short period and who is eligible for permanent appointment:—

- (a) The date of his enrolment.
- (b) His religion and in the case of Scheduled Castes, Scheduled Tribes or Other Backward Classes, the Tribe or Caste.
- (c) (i) His village,
(ii) Age,
(iii) Height, and
(iv) Marks of identification when enrolled.
- (d) The rank which he, from time to time holds, his promotions and his reductions or other punishments.
- (e) His absence from duty with or without leave.
- (f) Interruptions in his service.
- (g) Every other incident in his service which may affect the amount of his pension.

The service roll must be checked with the roll maintained under rule 473 of the Maharashtra Police Manual, Vol. I, in the principal language of the district and order book and the punishment register and every entry in it must be signed by the District Superintendent.

From this roll the necessary statement of service of every applicant for pension shall be prepared, additional proofs being collected in respect of any service rendered before enrolment in the constabulary which the applicant may be entitled to count.

47. Inspection of service books and service rolls

It is the duty of officers inspecting subordinate offices to inspect the service books and service rolls maintained there. They should see that they are maintained up-to-date, that entries are properly made and attested, that verification has been properly carried out, that the necessary statements and evidence secured and verification certificates have been properly recorded by the Heads of the Offices.

48. Service book not to be returned to Government servant on cessation of service

The service book or service roll should not be returned to the Government servant on retirement, resignation or discharge from service.

49. Extract to be given to insurance companies from service records

Heads of Departments may at their discretion furnish to Life Insurance Corporation, on request, extracts from service records of a Government servant relating to his date of birth, name, father's name, place of residence, race, place and designation of employment, date of appointment and personal marks of identification.

**CHAPTER V—PATENTS TO GOVERNMENT SERVANTS
ENGAGED IN SCIENTIFIC AND TECHNICAL
RESEARCH**

**50. Restriction for obtaining the patent for an invention made
by Government servant**

A Government servant whose duties involve the carrying out of scientific or technical research shall not apply for or obtain, or cause or permit any other person to apply for or obtain, a patent for an invention made by such Government servant save with the permission of Government and in accordance with such conditions as Government may impose.

Note.—The general instructions issued in this connection are contained in Appendix VI.

51. Decision of Government is final on the application of rule 50

If a question arises whether rule 50 applies to a Government servant, the decision of Government shall be final.

CHAPTER VI—REPEAL AND SAVING**52. Repeal and Saving**

The corresponding rules in the Bombay Civil Services Rules, 1959, as in force in the State of Maharashtra immediately before the commencement of these rules are hereby repealed in so far as they provide for any of the matters contained in these rules:

Provided that anything done or any action taken under the rules so repealed shall be deemed to have been done or taken under the corresponding provisions of these rules.

APPENDICES

APPENDIX I
(See rule 7)
Authorities to whom powers under Maharashtra Civil Services (General Conditions of Services) Rules, 1981, have been delegated by Government

Serial No.	No. of rule	Nature of power	Authority to whom the power is delegated	Scope	Remarks
1	2	3	4	5	6
1	9 (14) (f)	Power to regularise the period of Compulsory waiting as 'duty'.	Administrative Departments of Mantralaya.	Upto a period of fifteen days.	
2	9 (35)	Power to appoint a Government servant to officiate in a vacant post on which no other Government servant holds a lien.	(i) Any authority which has power to make substantive appointment to the post. (ii) Regional Deputy Directors of Technical Education.	Full powers.	
3	9 (35)	Power to— (a) make officiating appointments for four months of Class II Officers and General State Service Officers of equivalent rank; and (b) to transfer officers of the above category. (c) power to notify such orders in the <i>Maharashtra Government Gazette</i> .	All Heads of Departments excluding Regional Heads of Departments.	Full powers.	Subject to the observance of following conditions:— (i) appointments are made in accordance with the Select List approved by Government, (ii) transfers and appointments are intimated to Government within a <i>fortnight</i> of the issue of the orders, (iii) the transfers and appointments are approved by Government within a period of six months from the date of issue of orders,

(iv) if the appointments ordered by the Heads of Departments are not approved by Government within a period of *six months* from the date of issue of the orders, they would be automatically rendered invalid. The transfers would, however, continue to be effective, pending receipt of Government's approval,

(v) except in cases where the transfers do not involve change of headquarters, an officer who has put in less than two years service at the same station should not be transferred without obtaining the prior approval of Government giving special reasons for such transfer,

(vi) the appointments, transfers are duly notified in the *Maharashtra Government Gazette* by the Heads of Departments.

1	2	3	4	5	6
4	9 (35)	Power to promote permanent Junior Engineers/ Supervisors as Officiating Deputy Engineers.	<p>(i) Chief Engineer, Koyana. (ii) Chief Engineer (Electrical), Koyana. (iii) Superintending Engineers, Koyana. (iv) Electrical Engineers to Government. (v) Chief Ports Officer, Maharashtra State. (vi) Director, Maharashtra Engineering Research Institute. (vii) Director of Minor Irrigation.</p>	For a period not exceeding <i>three</i> months.	
5	13 [Rule 1(i) in Appendix III].	Power to dispense with a certificate or accept a certificate signed by any female medical practitioner in the case of a female candidate for Government service.	Heads of Departments ..	Posts under their control the pay of which does not exceed Rs. 280 per mensem.	
6	13 [Rule 1(ii) in Appendix III].	Power to accept a certificate signed by any medical officer irrespective of his rank, in the case of a candidate, for appointment to a post on pay not exceeding Rs. 280 per mensem.	Officers of rank not lower than the Collector or District Judge, including the Commissioner of Police, Bombay, the Chief Metropolitan Magistrate, Bombay, the Chief Judge of the Court of Small Causes, Bombay, and the Director of Social Welfare.	All such posts to which appointments can be made by them.	

- | | | | | | |
|---|----|--|--|---|--|
| 7 | 23 | Power to suspend a lien . . . | (i) All Heads of Departments. | Full powers in respect of Government servants whom they can appoint. | They may redelegate this power to their subordinate Gazetted officers in charge of administration in their own offices subject to the fulfilment of requirements and/or orders in this regard. |
| | | | (ii) The Regional Deputy Directors of Technical Education. | Full powers in respect of Government servants whom they can appoint. | They may redelegate this power to their subordinate Gazetted officers in charge of administration in their own offices subject to the fulfilment of requirements and/or orders in this regard. |
| | | | (iii) Director, Government Printing and Stationery, Bombay. | Non-gazetted staff including supervisory posts. | |
| | | | (iv) Managers of Government Presses. | Non-gazetted staff excluding supervisory posts. | |
| 8 | 26 | Power to transfer a lien from one post to another. | Authorities competent to fill the posts substantively when they fall vacant. | Full powers in respect of Government servants whom they can appoint. | |
| 9 | 31 | Power to permit charge being made over elsewhere than at headquarters. | (i) Heads of Departments. | In respect of Government servants subordinate to them whose transfer has been ordered by an authority not higher than that of Government. | |

1	2	3	4	5	6
			(ii) Assistant/Deputy Collectors.	In respect of Non-gazetted Government servants transferred from or to the office of an itinerating officer.	
			(iii) Deputy Inspector General of Police, C.I.D. and Superintendent of Police.	In respect of Police officers of and below the rank of Inspector, provided the place where the charge is actually transferred is also within their jurisdiction.	
10	38 (2) (f)	Power to make corrections in dates of birth, in respect of Non-gazetted Government servants, originally entered in the service books.	Heads of Departments.	Full powers	In respect of Government servants whom they or their subordinates can appoint, if the request is made within five years from the date of their appointment in Government Service.

APPENDIX II

[See rule 9(22)]

List of Officers who are to be deemed as " Heads of Departments " for the purpose of various sets of the Maharashtra Civil Services Rules

Serial No. 1	Heads of the Departments 2	Remarks 3
Agriculture and Co-operation Department		
1	Commissioner for Co-operation and Registrar of Co-operative Societies, Pune.	
2	Dairy Development Commissioner, Bombay.	
3	Director of Agriculture, Pune	
4	Director of Fisheries, Bombay	
5	Director of Marketing, Maharashtra State, Pune.	
6	Director of Animal Husbandry, Pune.	
7	Director of Sugar, Maharashtra State, Pune.	
8	Director of Handlooms, Powerlooms and Co-operative Textiles, Maharashtra State, Nagpur.	
9	Regional Deputy Directors of Animal Husbandry, Pune/ Bombay/Nagpur/Aurangabad.	Deemed as Heads of Departments for the purpose of Maharashtra Civil Services Rules excepting rules relating to suspension of lien, acceptance of Fees and Honoraria, Honoraria or fees for professional attendance and allowing to attend journey for Scientific Conferences or Congresses, etc.
10	Secretary to Government.	
Education and Employment Department		
1	Director of Education, Maharashtra State, Pune.	
2	Director of Technical Education, Bombay,	

1	2	3
3	Dean, Sir J. J. School of Art, Bombay.	
4	Director of Art, Bombay	
5	Director of Archaeology, Bombay	
6	Director of Employment, Bombay	
7	Director of Libraries, Bombay.	
8	Director of Sports and Youth Services, Pune.	
9	Secretary to Government.	
Finance Department		
1	Additional Commissioners of Sales Tax, Bombay, Pune and Nagpur.	
2	Commissioner of Sales Tax, Bombay.	
3	Deputy Commissioners of Sales Tax.	
4	Director of Accounts and Treasuries, Bombay.	
5	Director of Small Savings and State Lotteries, Bombay.	
6	Director of Insurance, Bombay.	
7	Secretary to Government.	
Food and Civil Supplies Department		
1	Controller of Rationing, Bombay.	
2	Financial Adviser and Deputy Secretary to Government, Food and Civil Supplies Department, Bombay.	For purposes of Maharashtra Civil Services Rules in respect of the staff directly under his control.
3	Secretary to Government.	
4	Supply Commissioner, Bombay.	Supply Commissioner, Bombay, will continue to be Head of Department till Secretary to Government, Food and Civil Supplies Department is also the Supply Commissioner, Bombay.
General Administration Department		
1	Chief Electoral Officer, Maharashtra State, Bombay.	
2	Chief Director General of Information and Public Relations, Bombay.	

1	2	3
3	Director of Administrative Staff College, Bombay.	
4	Director, Maharashtra Rajya Sainik Board, Pune.	
5	Director of Archives and Historical Monuments, Bombay.	
6	Director of Languages, Bombay.	
7	Director, Rural Broadcasting, Bombay.	
8	Executive Editor and Secretary, Maharashtra District Gazetteers (Revision) Editorial Board, Bombay.	
9	Registrar, in the Office of the Lokayukta and Upa-Lokayukta, Bombay.	
10	Secretary of the State Board for Literature and Culture, Bombay.	
11	Secretary, Maharashtra Public Service Commission, Bombay.	
12	Special Commissioner to Government of Maharashtra, New Delhi.	
13	Secretary to Government.	
14	Secretary to the Governor.	

Home Department

- 1 Chief Ports Officer, Maharashtra State, Bombay.
- 2 Commissioner of Police, Greater Bombay.
- 3 Commissioner of Prohibition and Excise, State of Maharashtra, Bombay.
- 4 Coastal Engineer.
- 5 Director of Aviation, Bombay.

1	2	3
6	Director, Vigilance, Anti-Corruption and Prohibition-Intelligence Bureau and Special Inspector-General of Police, Maharashtra State, Bombay.	
7	Director, Forensic Science Laboratories and Chemical Analyser to Government, Maharashtra State, Bombay.	
8	Director of Civil Defence and Commandant General, Home Guards, Maharashtra State, Bombay,	
9	Director of Public Prosecutions, Maharashtra State, Bombay.	For the purposes of use of conveyance for the performance of duties in the interest of public service.
10	Director Inland Water Transport.	
11	Hydrographer, Bombay.	
12	Inspector-General of Police, State of Maharashtra, Bombay.	
13	Inspector-General of Prisons, and Director of Correctional Services, Maharashtra State, Pune.	
14	Secretary to Government.	
15	Transport Commissioner, Maharashtra State, Bombay and Secretary, State Transport Authority.	
Housing and Special Assistance Department		
1	Secretary to Government.	
Industries, Energy and Labour Department		
1	Chief Engineer (Electrical), Hydro Project, Bombay.	
2	Commissioner of Labour, Maharashtra State, Bombay.	
3	Director, Government Printing and Stationery, Bombay.	
4	Director, Geology and Mining, Nagpur.	

1	2	3
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- 5 Director, Maharashtra Institute of Labour Studies, Bombay.
- 6 Industries Commissioner and Director of Industries, Bombay.
- 7 President, Industrial Court, Bombay.
- 8 Secretary to Government.

Law and Judiciary Department

- 1 Administrator General and Official Trustee, Bombay.
- 2 Advocate General, Maharashtra, Bombay.
- 3 Charity Commissioner, Bombay.
- 4 Chief Judge of the Court of Small Causes, Bombay.
- 5 Chief Metropolitan Magistrate, Bombay.
- 6 District and Sessions Judges.
- 7 Principal Judge, Bombay City Civil and Sessions Court, Bombay.
- 8 Remembrancer of Legal Affairs and Secretary to Government.

Legislative Affairs Department

- 1 Secretary to Government.

Maharashtra Legislature Secretariat

- 1 Secretary, Maharashtra Legislature Secretariat.

Public Works Department and Irrigation Department

- 1 Architect to Government, Bombay.
- 2 Administrators of Command Area Development Authorities.
- 3 Chief Engineers.
- 4 Chief Engineer (Electrical), Hydro Projects, Bombay.

1	2	3
5	Commissioner, Command Area Development Authority and Secretary to Government.	
6	Chief Engineer (Electrical), Bombay.	
7	Director, Maharashtra Engineering Research Institute, Nashik.	
8	Director, Irrigation, Research and Development, Pune.	
9	Director, Engineering Staff College, Nashik.	
10	Secretary to Government.	
11	Superintending Engineers of Circles.	
12	Superintending Engineer, Designs (Roads and Buildings).	
13	Superintending Engineer, Central Design Organisation, Nashik.	
14	Superintending Engineers (Hydro).	

Planning Department

- 1 Director, Economics and Statistics, Bombay.
- 2 Secretary to Government.

Revenue and Forests Department

- 1 Chief Conservator of Forests, Pune.
- 2 Collectors.
- 3 Conservators of Forests.
- 4 Commissioners of Bombay/Pune/Nagpur/Aurangabad/Nashik/Amaravati Divisions.
- 5 Chairman, Sugarcane Price fixation Board.
- 6 Inspector-General of Registration, Maharashtra State, Pune.
- 7 President, Maharashtra Revenue Tribunal, Bombay.

1	2	3
	8	Secretary to Government.
	9	Settlement Commissioner and Director of Land Records.
	10	Superintendent of Stamps, Bombay.
Rural Development Department		
	1	Director, Groundwater Surveys and Development Agency, Maharashtra State, Pune.
	2	Secretary to Government.
Social Welfare, Cultural Affairs, Sports and Tourism Department		
	1	Additional Commissioner, Tribal Sub-Plan, Nashik.
	2	Additional Commissioner, Tribal Sub-Plan, Nagpur.
	3	Director of Tourism, Maharashtra State, Bombay.
	4	Director of Sports and Youth Services, Maharashtra State, Pune.
	5	Director of Social Welfare, Pune.
	6	Director of Tribal Welfare, Pune.
	7	Director of Tribal Research and Training Institute, Pune.
	8	Secretary to Government.
	9	Tribal Commissioner and Secretary to Government.
Urban Development and Public Health Department		
	1	Commissioner of Food and Drugs Administration, Bombay.
	2	Director of Medical Education and Research, Bombay.
	3	Director of Health Services, Bombay.
	4	Director of Employees' State Insurance Scheme, Bombay.
	5	Director, Town Planning and Valuation, Pune.

1	2	3
6	Director of Municipal Administration, Bombay.	
7	Director of Ayurved, Bombay.	
8	Fire Adviser to Government of Maharashtra, Bombay.	
9	Joint Director of Health Services, Bombay.	
10	Joint Director of Health Services, Pune.	
11	Joint Director of Health Services, Family Planning, Maternity, Child Health and School Health, Pune.	
12	Secretary to Government.	

APPENDIX III

(See rule 11)

Rules for the examination of candidates as to their physical fitness

1. Candidates will be examined and certified in Bombay City by the Superintendents of Government Hospitals and in the mofussil by the Civil Surgeon of the district or Superintendent, Sassoon General Hospital, Pune, as the case may be, in which they are employed or reside for the time being or by a Medical Officer duly appointed for the purpose (*vide* Schedule 'A' below) :

Provided that—

(i) In the case of a female candidate, a competent authority may either dispense with a certificate or accept a certificate signed by any female medical practitioner.

Note.—Once a female Government servant is asked to produce a medical certificate of fitness for entry into Government service whether in permanent or temporary capacity, and has actually been examined and declared unfit, it is not open to the authorities exercising the powers to use their discretion to ignore the certificate that has been produced.

(ii) In the case of a candidate who is appointed on pay not exceeding Rs. 280 per mensem, a competent authority may accept a certificate signed by any Medical Officer irrespective of his rank.

The certificate should be in the form prescribed by rule 12 in Chapter III.

(iii) Maharashtra Medical and Health Service Class II Resident Medical Officers should issue physical fitness certificates of class III and class IV Government servants of this State.

2. In the case of female candidates, the examination will be confined to the general condition of health and constitution only.

3. Medical Officers in-charge of civil stations should, when required to do so, examine successful candidates as to their physical fitness both before admission into the Training Colleges and before they are appointed to Government service.

Students of the Training Colleges for men and women at Pune should on admission be examined by the Maharashtra Medical Service Officer in medical charge of these institutions instead of by the Superintendent, Sassoon General Hospital, Pune, and on leaving the Colleges they should be examined as to their physical fitness by the Civil Surgeons of the districts or the Superintendent, Sassoon General Hospital, Pune, as the case may be, to which they are appointed.

4. Heads of Offices will furnish the candidate with a letter of cognizance stating the department and the appointment to which the candidate will be appointed and also briefly summarising the nature of the work he or she will have to perform, and making

mention of any special hardships of climate, whether fatigue and the like which the candidate will have to endure. The declaration mentioned in rule 5 should be attached to the letter of cognizance, which is printed as Schedule 'C' below. In cases of examination by a Medical Board, the authority furnishing the letter of cognizance may be the Head of Department, if it is not possible to get the letter signed by a Head of Office.

5. The utmost care should be exercised in furnishing certificates of physical fitness to candidates for public services, and applicants will be required by the appointing authority to declare in writing, when possible, whether they have at any time been pronounced unfit for Government employment by a duly constituted medical authority.

6. (1) The examination as to the physical fitness of candidates, except in the case of those seeking admission to departments for which special standards of physical fitness are laid down, will comprise routine examination into the health and bodily condition of candidates for the public service, with special reference to the points noted below:—

- (i) General conformation.
- (ii) The presence or otherwise of haemorrhoids or fistula.
- (iii) The presence or otherwise of hernia or weakness of the inguinal rings and canals.
- (iv) The presence of varicocele, hydrocele, or other affections of the testicle.
- (v) The presence of pyorrhoea alveolaris.
- (vi) Any evidence of venereal disease.
- (vii) The presence of Trachoma.
- (viii) Any inveterate skin disease.
- (ix) Any Tubercular disease.
- (x) A neurotic temperament.

(2) Every candidate must make the statement required below prior to his medical examination and must sign the declaration appended thereto. His attention is specially directed to the warning contained in the Note below.

- (i) State your name in full (in block letters).
- (ii) State your age and place of birth
- (iii) (a) Have you ever had small-pox, intermittent
or any other fever, enlargement or suppuration
of glands, spitting of blood, asthma, heart
disease, lung disease, fainting attacks, rheuma-
tism, appendicitis;
O.
- (b) Any other disease or accident requiring
confinement to bed and medical or surgical
treatment?

- (iv) When were you last vaccinated?
- (v) Have you or any of your near relations been.....
affected with consumption, scrofula, gout,
asthma, fits epilepsy or insanity?
- (vi) Have you suffered from any form of nervous-.....
ness due to overwork or any other cause?
- (vii) Have you been examined and declared unfit.....
for Government service by a Medical Officer/
Medical Board, within the last three years?
- (viii) Furnish the following particulars concerning your family :—

Father's age, if living and state of health	Father's age at death and cause of death	No. of brothers living, their ages and state of health	No. of brothers dead, their ages at death and cause of death
1	2	3	4

Mother's age, if living and state of health	Mother's age at death and cause of death	No. of sisters living, their ages and state of health	No. of sisters dead, their ages at death and cause of death
5	6	7	8

I declare all the above answers to be, to the best of my belief, true and correct.

I also solemnly affirm that I have not received a disability certificate/pension on account of any disease or other condition.

Candidate's signature

Signed in my presence

Signature of Medical Officer

Note.—The candidate shall be held responsible for the accuracy of the above statement. By wilfully suppressing any information he will incur the risk of losing the appointment and if appointed, of forfeiting all claim to superannuation pension or gratuity.

7. Candidates will be required to pass the visual test laid down in the regulations as to the standards of vision, *vide* Schedule 'B' below. A candidate whose standard of vision does not come up to the requirement of services specified in Annexure 'A' to Schedule 'B' shall be referred to the Board of Referees for assessment of their visual standard in relation to the nature of work the candidate is

expected to do. The candidates declared unfit by the Board of Referees will not be eligible for appointment in Government service.

8. Medical Officer should note in the certificate of physical fitness the fact of vaccination having or not having been performed and should also take the left-hand-thumb impression of the candidate thereon in the case of a non-gazetted Government servant. The examining Medical Officers are responsible for this.

9. Candidates of inferior physique for admission into the Maharashtra Veterinary College with a view to ultimate employment in Government service will not be admitted.

The following standard for height and chest measurements of these candidates is prescribed for guidance :—

Age	Height centimetres	Chest centimetres
18	162·56	76·20
19	162·56	78·74
20	162·56	78·74
21	162·56	81·28
22	162·56	83·82

For every additional 2·54 cm. in height there should be an increase of 1·270 cm. in chest measurement at the respective ages. Strict conformity with the standard is not required.

10. Candidates for the Central Police Training School must be certified by the Civil Surgeon or Superintendent, Sassoon General Hospital, Pune, as the case may be, to be thoroughly fit for out-door employment and free of any disease likely to interfere with their efficiency as Police Officers. They must be vaccinated or if they have already been vaccinated, must be revaccinated before joining the school.

11. Candidates for the State Services should be sent for medical examination by a Medical Board, only after they are selected for appointment.

Note.—In case of medical examination of female candidates for gazetted appointments under Government, one of the members of the Medical Board examining such candidates should be a lady Medical Officer, possessing medical qualifications included in the Schedule to the Indian Medical Council Act, 1956.

12. Selected candidates for the posts of Maharashtra Forest Service and Maharashtra Forest Engineering Service should be examined by the Medical Board in Bombay City in accordance with the following rules :—

(i) The examination as to the physical fitness of these candidates shall be such as would be required by a reputable life assurance company if the candidates wish to insure at normal rates for the full terms of their lives.

(ii) It will comprise the routine examination into the health and bodily condition of candidates for the public service as laid down in rule 6 above. (A table below is for the guidance of the medical examiners showing the minimum relative heights, weights and chest measurements, which should, as a general rule, be regarded as sufficient.)

Table showing the lowest relative heights, weights and chest measurements

	Height	Weight	Chest measurement		Height	Weight	Chest measurement
	Cm.	Kg.	Cm.		Cm.	Kg.	Cm.
(1)	152.40	44.45	81.28	(9)	172.72	56.24	87.63
(2)	154.94	45.36	81.28	(10)	175.26	58.97	88.90
(3)	157.48	46.27	82.55	(11)	177.80	61.69	90.17
(4)	160.02	47.17	83.82	(12)	180.34	63.50	91.44
(5)	162.56	48.99	83.82	(13)	182.88	67.13	93.98
(6)	165.10	50.80	85.09	(14)	185.42	69.85	96.52
(7)	167.64	52.62	86.36	(15)	187.96	73.94	101.60
(8)	170.18	54.43	86.36	(16)	190.50	79.38	101.60

Note.—The Medical Board should certify in cases of candidates for the Maharashtra Forest Service and Maharashtra Forest Engineering Service that they are fit for rough out-door work in the Forest Department.

(iii) Candidates with any deformity or defects which will incapacitate them in any degree or may hereafter tend to incapacity, or those suffering from any of the ailments abovementioned (rule 6) should be rejected.

(iv) Candidates who are abnormally spare or light, and those who are distinctly of an obese, flabby or full-blooded habit of body, should be rejected.

(v) The existence of any of the following conditions will also disqualify, viz. :—

(a) Any tubercular disease.

(b) A neurotic temperament.

(c) The loss of an eye.

(d) Any chronic affection of the eyes or ears, or any acute affection of these organs until it be cured.

(e) Considerable varicosity of the veins of the either legs.

(f) Venereal disease.

(vi) Candidates must pass the visual test prescribed in Schedule 'B' to these rules.

(vii) Cases of candidates rejected for defects or ailments, which are possibly remediable, will be reported to Government, who will decide whether re-examination shall be permitted and the date thereof.

13. Candidates for appointments to the Upper Subordinate Forest Service or ranger class will be required to produce a health certificate in the following form signed by a Commissioned Medical Officer or by a Medical Officer in charge of a civil station :—

Examination free.

Dated 19

I hereby certify that I have examined a candidate for the forest ranger's course, and cannot discover that he has any disease, constitutional affection, or bodily infirmity. He has sound constitution, good vision and hearing, and in my opinion he is physically fit for a rough out-door life in the Forest Department.

His age is according to his own statementyears, and by appearance about years. He has been vaccinated (or protected from small-pox).

Civil Surgeon/
Superintendent, Sassoon General
Hospital, Pune.

Note 1.—The medical examination of a candidate for selection to the Forest Service will be conducted free of charge, if he is armed with a letter from a forest officer not lower in rank than Divisional Forest Officer. Care should be taken by that officer that letters are given only to likely applicants.

Note 2.—Any candidate is liable to further medical examination, if the Chief Conservator so directs.

14. Candidates for all Government scholarships tenable in England or on the Continent are required to submit with their application a certificate of physical capacity to undergo the course of life and study, which they will have to follow in England, signed or countersigned by the Superintendent of one of the Government Hospitals in Bombay or a Civil Surgeon of a district or Superintendent, Sassoon General Hospital, Pune as the case may be. Such candidates should, therefore, be subject to a careful medical examination by the Superintendent of a Government Hospital, Bombay, or the Civil Surgeon or Superintendent, Sassoon General Hospital, Pune as the case may be, and special attention should be paid to the probability of their being able to stand the English climate. A candidate for a Government scholarship should pay the usual fee for a certificate unless he is provided with a letter of authority requesting the Civil Surgeon or Superintendent, Sassoon General Hospital, Pune as the case may be, to examine him.

15. Candidates for any special department of Government service, having special standards of physical fitness, must be provided

with, and present a copy of any such special standards to the examining officer.

16. Medical Officers who are in doubt about the fitness of a candidate should refer the whole case to the Director of Health Services, Bombay, who will decide whether the candidate should be examined by another Medical Officer or by a Medical Board.

17. If in the opinion of the Medical Officer/Medical Board, a candidate is unfit he/they shall issue to such candidate a certificate in the following form :—

“I/We consider (name of the candidate) to be temporarily/permanently unfit for employment as on account of....

*In my/our opinion, the candidate should be fit to appear for re-examination by (date) and he should appear with a fresh letter of cognizance for re-examination.”

Note.—Under no circumstances shall a candidate be entitled to a copy of the report or the detailed findings of a Medical Board.

18. Candidates pronounced unfit, except on grounds of visual test, shall with the permission of the Head of the Office concerned, be entitled to appeal to the Director of Health Services, Bombay, together with medical certificate, if any, produced as a piece of evidence as provided in note 5 of rule 11 of Maharashtra Civil Services (General Conditions of Services) Rules, 1981, within one month from the date of issue of the communication in which the findings of the Medical Officer are communicated to them.

19. The examining Medical Officer is held responsible for the measurements of height, weight, chest and abdomen in cases where these are specifically laid down. He is also responsible for noting on the certificate the marks of identification.

20. Detailed accounts of the examinations held in India by individual medical examiners, or by Medical Boards, of candidates, who may subsequently have to present themselves for final examination before the Medical Board of the office of the High Commissioner for India should be forwarded to the Medical Board of the office of the High Commissioner for India for record. It is of great importance that the Board should have before it, when proceeding to the final examination of such candidates, full particulars of the information obtained and the conclusions reached by the examiners by whom the candidate was first passed as physically fit for Government service.

* To be added in case of temporary unfitness.

SCHEDULE 'A'

(See rule 1)

The following Medical Officers are appointed to examine candidates stated against their names:—

- | | | |
|---|----|--|
| (i) Police Surgeon, Bombay | .. | City and Railway Police Forces stationed in Bombay. |
| (ii) Maharashtra Medical Service, Class II Officer, incharge Subsidiary Police Hospital, Naigaum. | | Recruits for the posts of constables in the City Police Force stationed in Bombay. |
| (iii) Medical Officers of prisons and jails. | | Prison and jail establishments. |
| (iv) Superintendents of Mental Hospitals. | | Mental Hospital establishments. |
| (v) Superintendents, Cama and Albless Hospitals, Bombay. | | Female candidates in Bombay. |

SCHEDULE 'B'

Regulation as to the standard of vision

[See rules 7 and 12 (vi)]

1. When a candidate for admission into the Civil Services of Government, appears before the medical authority for visual test, the medical authority shall be guided by the different minimum standards as prescribed in Annexure 'A' to this schedule. This is the "Sorting Out" stage, where the obviously suited are certified fit without further trouble.

2. The doubtful and unsuitable cases shall be referred to a "Board of Referees", comprising of at least three ophthalmologists who shall get the cases examined on the following points:—

- (i) Previous record of glasses worn.
- (ii) Determination of refractive error under homatropine.
- (iii) Fundus changes, particularly in the anterior part of chorioretina.
- (iv) Vitreous changes.
- (v) Absolute visual acuity.
- (vi) Radius of curvature of cornea.
- (vii) Ascertainment of the nature of his work, particularly in relation to subjective and objective hazards.

And shall assess the visual capacity against the visual task expected in which they shall be guided by certain classic standards according to the work to be assigned to the candidate.

3. The Board shall have the right to order the re-examination of a candidate annually for three years to determine the stability or instability of a refractive error before he is finally confirmed.

4. The "Board of Referees" decision shall be final and irrevocable.

5. When a candidate is referred to a Medical Board, the Board shall be guided by the standards laid down in Annexure 'A' (Preliminary standards) and those who fall short of the standard shall be referred to the "Board of Referees".

ANNEXURE 'A'

(See rule 7)

Preliminary Visual Standard for all Services

Group 'A'

For posts requiring very high degree of visual acuity with unaided eye—

Visual acuity—unaided vision is not less than 6/6 in one eye and not less than 6/9 in the other.

Posts for which such a high standard is required—
Armed and unarmed Police, etc.....

Group 'B'

For post requiring a very high degree of vision acuity with glasses and moderate degree without glasses—

Visual acuity—

6/24 each eye without glasses.

6/6 each eye with ± 2.5 D after correction.

Normal colour vision as tested with the Ishihara test. No evident signs of infective condition of the external eye e.g. Trachoma.

No squint.

Posts for which such a high standard is required—

All Class I and certain Class II posts, viz. Medical and Engineering Services; Class II, Superintendents and Sub-Inspectors of Police.

Group ' C '

For posts requiring a high degree of visual acuity with visual aids (glasses)—

Visual acuity—

6/6 each eye with $\pm 4.0D$ after correction.

No infective condition of the external eye.

No Squint.

Posts for which such a high standard with glasses is required—

1. Class II posts.
2. Certain Class III posts, viz. MMS, Class III compounders.
3. Skilled workmen and artificers and machine workers.
4. Bus conductors in Transport Service.

Group ' D '

For posts which can do with a moderate degree of visual acuity

Visual acuity—

Better eye 6/6 with $\pm 4.0D$ worse eye 6/24 with glasses.

No infective condition of the external eye.

Posts that can do with such a moderate degree of visual acuity.

Class III posts and all types of desk-work, e.g. clerks, accountants, organising officers, store-keepers.

Group ' E '

For posts which do not require acute central visual acuity—

Visual acuity—

Better eye 6/12 with correction.

Worse eye 6/24 with correction.

No infective condition of the external eye.

Posts that can do with such visual acuity.

Ward boys in hospitals, menials, sweepers, peons, messengers, and all those belonging to Class IV in whom a moderate visual acuity is enough to enable them to perform their duties.

Note.—All those who fall short of the above standard are not necessarily failed but shall be referred to the " Board of Referees " for expert opinion.

ANNEXURE ' B '

Rules for the guidance of the Board of Referees

1. *Visual acuity.*—An eye that cannot be brought to 6/6 after correction calls for a detailed examination.
2. *Pupil reaction.*—A sluggishly reacting pupil is an eye for detailed examination.

3. *Fundus changes in Myopia*.—A general rarified appearance of the fundus, particularly in the centrocoecal and anterior parts: a temporal crescent with its points almost meeting to form an annual ring round the disc and pigment degeneration are signs of grave import and ground for failing a candidate.

In a high degree of myopia a narrow temporal crescent in itself must not be a criterion for failing a candidate.

Fundus diseases.—In other fundus diseases all lesions of a progressive nature are grounds for failing.

4. *Refractive error*.—But for posts under Group 'A' under the preliminary visual standards, the standards may be considerably relaxed. More attention is to be paid to the type of refractive error than the degree. In this measurement of the radius of curvature of the cornea and its refractive power and the condition of the eye-grounds and vitreous will determine a physiological or a pathological error. Thus a myopia of 10D with a corneal refraction of 45D or 46D (normal 44D) and healthy eye-grounds and no vitreous opacities is no risk myopia whereas a myopia of 4D with a corneal refractive power of 44D or less with a rarified anterior choroid is a full-risk myopia and may be disqualified. Thus no limit is set for the degree of myopia for the board of expert referees.

5. *Amblyopia*.—If one eye vision is defective from whatever cause (Squint, opacity, macular trouble) it matters little then whether the eye has vision finger counting at 6 metres or 6/12. That eye is useless for central vision, in the presence of the better eye. The only concern there is: (a) whether the eye has good peripheral vision, (b) does the condition in that eye constitute a danger by itself? If the eye has good peripheral vision, the person can do any duty that does not require binocular vision. All causes giving rise to defective vision in one eye from an opacity, fundus disease or squint, paralytic or non-paralytic or external disease should be investigated in every case and the capacity of that person to fit for the duty he is expected to do, is assessed by the expert Board. In that direction special attention should be given to whether such an eye condition suggests a possibility of similar condition developing in the other eye.

6. In the event of any doubts as to the progressibility or otherwise of any case the Board reserves the right of examining the case once in every year and to defer its final decision until three years have passed.

SCHEDULE 'C

(See rule 4)

Letter of cognizance to be taken by a candidate undergoing physical fitness examination

No. 19
Place
Date

From
The

To
The Civil Surgeon/Superintendent, Sassoon General Hospital,
Pune.

Subject.—Medical Examination for physical fitness for Government service.

Sir,

I am directed to request that the bearer, a candidate for employment in the post of in the cadre of Department, may kindly be examined by you/a Medical Board and this Office/Department furnished with your opinion/opinion of the Board regarding his health, and age in the prescribed form as recommended by rule 12 of the Maharashtra Civil Services (General Conditions of Services) Rules, 1981. Particulars of this candidate are given below :—

- (1) Height.
- (2) Figure.
- (3) Personal marks—
 - (1)
 - (2)
 - (3)

This candidate is expected to do.....[rule 4, Appendix III, Maharashtra Civil Services (General Conditions of Services) Rules, 1981].

This candidate had made a declaration before me to the effect that he was not declared unfit for Government service previously by any duly constituted medical authority [rule 5, Appendix III, Maharashtra Civil Services (General Conditions of Services) Rules, 1981]. This declaration is attached.

Yours faithfully,

(Head of Office/Department)

APPENDIX IV

(See rule 36)

A form of service book

Space should be provided on the reverse of the title page of the service book to record thumb and finger impressions of (Non-gazetted) Government servants under the following headings:—

Thumb and finger impressions of (Non-gazetted) Government servant who is not literate enough to sign his name in English, Hindi or Marathi. The opening page of the service book should contain the following entries:—

- (1) Name
- (2) Race
- (3) Residence
- (4) Father's name and residence
- (5) Date of birth by the Christian era as nearly as can be ascertained.
- (6) Exact height by measurement.
- (7) Personal marks for identification
- (8) Educational Qualifications
- (9) Signature of (Non-gazetted) Government servant.
- (10) Signature and designation of the head of the office or other attesting officer.

Note.—The entries in this page should be renewed or re-attested at least every five years, and the signature in lines (9) and (10) should be dated. Finger prints need not be taken afresh every five years under this rule.

The remaining folios of the service book should be divided into fifteen columns, viz.:—

- (1) Name of appointment.
- (2) Whether substantive or officiating and whether permanent or temporary,
- (3) If officiating, state substantive appointment,
- (4) Pay in substantive appointment,
- (5) Additional pay for officiating,

- (6) Other emoluments falling under the term " Pay ",
- (7) Date of appointment,
- (8) Signature of Non-gazetted Government servant,
- (9) Signature and designation of the Head of the Office or other attesting officer in attestation of columns 1-8,
- (10) Date of termination of appointment,
- (11) Reasons of termination (such as promotion, transfer, dismissal, etc.),
- (12) Signature of the Head of Office or other attesting officer,
- (13) Nature and duration of leave taken,
- (14) Signature of the Head of the Office or other attesting officer,
- (15) Reference to any recorded punishment or censure, or reward or praise of the Government servant.

APPENDIX V

(See rule 38)

Certificate of Service

1. No. Rank
- Name
- Unit
- Father's Name
- Class Sub-Class
- Village P.O.
- Tahsil Thana
- Tel. Office Rly. Station
- District
- Date of enrolment
- Date of transfer to the Reserve
- Date of discharge
- Non-qualifying service
2. Description at the time of completion of this form:
- Age
- Distinctive mark
3. * Transfer to the Reserve on
- * Discharge by order of
- Dismissed
- In consequence of
- Under Item/Section I.A.A. Rule 13/I.A.A.
- After serving years months
- days with
- the colours and years months
- days in the Reserve.
- (Non-qualifying service to be included)
4. Character is assessed, *vide* R. A. I. Instruction No. 203
-
5. (a) Medals, decorations or mentions in despatches
-

* Stricke out item not applicable.

† Insert the condition from which a person discharged on medical ground is suffering, as entered in the proceedings of the Medical Board I.A.F.

- (b) War Services, showing theatres of operations with dates
.....
- (c) Wounds (Details of disability).....
6. Certificates—
- (a) Highest military educational certificate (R. U.).....
.....
Highest military educational certificate (Eng.).....
.....
Highest education (Civil)
Degree of proficiency in reading and/or writing (i) English,
(ii) Roman Urdu.
- (b) Any other language.....
Any other qualification such as Mathematics
- (c) Employment before enlistment.....
- (d) Army trade and qualifications
7. The holder of this certificate must understand that, if he wishes to submit a petition, he must do so to the officer i/c Records * or to the Deputy Commissioner/Collector
- Application for assistance in finding employment should be made to Sub-Regional Employment Exchange at †.....
.....
His nearest D. S. S. A. B. is at †.....
8. The contents of paragraph 7 above have been fully explained to me.

Date.....

.....
(Signature of Soldier)

Station.....

.....
Signature and Rank

Date.....

Commanding.....

Note.—The signature of the soldier will not be affixed to this page until all entries are completed and will then be regarded as a certificate that he understands the use of the form and accepts the correctness of the entries therein.

* Enter training centre, depot, unit, etc.

† Enter station.

APPENDIX VI

(See rule 50)

**Instructions for regulating the Patenting of Inventions made by
Government Servants under rule 50**

1. (1) In these Instructions—

(a) "Committee" means the Patents Advisory Committee.

(b) "Inventor" means any Government servant whose duties involve carrying out of Scientific or Technical Research.

(c) "Department" means Department of Government in charge of any Research Organisation.

(d) "Research Organisation" means any technical or scientific establishment under Government where research work is carried out, and includes also an establishment where research work is carried out in addition to any other routine work.

(e) "Secretary" means Secretary of the Patents Advisory Committee.

(2) The Patent Advisory Committee will consist of the officials mentioned below :—

Chairman

Industries Commissioner, Bombay.

Members

The Director of Technical Education, Bombay.

The Director of Agriculture, Pune.

The Director, Haffkine Institute, Bombay.

The Director, Department of Chemical Technology,
University of Bombay, Bombay

Member-Secretary

The Joint Director of Industries (Technical Development-II),
Bombay.

The said Committee will have powers to accept not more than two members.

2. An inventor should not, without the previous permission of Government, employ a Patent Agent or disclose the invention to any person otherwise than as provided in instruction 4 or publish or join any person not connected with the invention in his application for a patent, or file a Complete Specification, or make any application for a patent in any other country.

Until the Patents Advisory Committee makes a decision under instruction 19, the particulars about any invention disclosed by an

inventor should be treated as confidential and deemed to belong to and held in trust for the Government.

3. Every inventor should, if so ordered, do everything necessary for obtaining a patent whether in India, or any other country under such conditions as may be prescribed by the Government.

4. Every inventor who evolves an invention should promptly disclose it to the Head of the Research Organisation where he is working.

5. Where an inventor discloses his invention to the Head of his Research Organisation with or without a request for permission to file an application for a patent accompanied by a Provisional Specification, the Head of the Research Organisation should, through a secret communication, forward the information to the Department concerned together with his remarks on—

(i) the connection, if any, between the invention and the inventor's official duties;

(ii) the extent to which the inventor has used the facilities provided at Government expense;

(iii) whether the results are of such a nature that they should be published instead of being patented;

(iv) patenting the invention in foreign countries;

(v) the estimated needs of the Department concerned and the Government as a whole;

(vi) the probable contribution to public welfare; and

(vii) his recommendations, if any, as to further action deemed appropriate.

6. An inventor may file an application for a patent accompanied by a Provisional Specification after obtaining the permission of the Head of the Research Organisation where he is working :

Provided that, in case the inventor is himself the Head of a Research Organisation, he may file such application without obtaining previous permission of Government.

7. Government hereby authorises the Head of every Research Organisation to grant, in his discretion, to any inventor working under him, permission under rule 50 to file an application for a patent accompanied by a Provisional Specification :

Provided that, where the Head of a Research Organisation does not deem it fit to grant the permission for instance, where the invention is likely to have utility for Defence purposes or for the Department concerned, he should forward the papers to the Department concerned, together with his remarks.

8. Where an inventor desires to obtain permission in accordance with instruction 6, his request to the Head of his Organisation should be made on the prescribed form, shown in Annexure 'A' which should be filed in quadruplicate.

9. If the Head of a Research Organisation decides to grant the permission, he should sign all the four copies of the forms, return one copy to the inventor, retain one copy and forward the remaining two copies alongwith copies of the Provisional Specification to the Department concerned.

10. If the request for permission is accompanied by a Complete Specification (which should be in duplicate) the Head of the Research Organisation should, through a secret communication, forward the papers to the Department concerned, together with his remarks on points referred to under sub-paragraphs (i) to (vii) in instruction 5.

11. Upon receipt of a communication of an invention from the Head of the Research Organisation the Department concerned should examine the case. If they consider that the results proposed to be patented are of such a nature that they should be published instead of being patented, they will refuse the inventor's request for permission to take out a patent. The Department may take such steps as they consider expedient for publishing the invention, or for otherwise disposing of the invention. On receipt of intimation of such refusal, the inventor shall abandon his application for patent, if any, filed on the basis of a Provisional Specification. In all other cases the Department concerned should, within 15 days of their receipt of the communication from the Research Organisation, forward the papers to the Secretary with their recommendations. While forwarding the papers to the Secretary the following documents should be supplied through a secret communication :—

(i) If the invention was disclosed unaccompanied by a request for permission to take out a patent, full particulars of the invention so disclosed;

(ii) If an application has been made on the basis of a Provisional Specification, a copy each of the application and the Provisional Specification filed at the Patent Office; and

(iii) If a request for permission has been made to take out a patent on the basis of a Complete Specification, a copy of the Complete Specification.

12. Upon receipt of the foregoing communication from the Department concerned the Secretary will submit the information for the consideration of the Committee who will consider whether the permission asked for (under rule 50) should be granted, with or without conditions.

13. If the Committee is satisfied that the invention has no connection whatsoever with the inventor's official duties, or does not fall

within a technical field or activity of the Department concerned, it will, if the inventor has applied for permission to take out a patent, grant him the permission without any restriction.

14. If the Committee considers that the invention has been made in the course of the inventor's official duties or that the invention has resulted from facilities provided at Government expense, it will decide whether an application for a patent should be made to the Controller of Patents and Designs on the basis of a Complete Specification.

15. If the Committee decides that an application for a patent should be made on the basis of a Complete Specification, the Secretary will, if necessary, obtain from the inventor further particulars required for the drafting of the Complete Specification and take the necessary steps to prepare and file the Complete Specification within 9 months from the date of the Provisional Specification, if any. The application will be made in the name of the inventor, on the understanding that he will hold the patent in trust for the Government and will, in due course, assign his rights to the Government.

16. The Complete Specification and the drawing, if any, required for filing and prosecuting the applications for patents will be prepared by the Research Organisation when facilities exist for such purposes, and in other cases, by the Secretary, or by such agency as may be appointed by the Committee.

17. All fees up to the stage of acceptance, in respect of every application prosecuted by the Secretary, will be borne by the Committee.

18. On filing a Complete Specification the Committee will consider—

(i) whether the invention should be published for free use by the public; or

(ii) whether a patent should be taken out for exploitation by Government; or

(iii) whether the inventor should be allowed to take out a patent for his own benefit.

19. If the Department or the Committee decides that the invention should be published for free use by the public, it will refuse the inventor's request, if any, for permission and the Secretary will not prosecute the application for patent beyond the stage of its acceptance. In all such cases the Committee on the advice of the Department concerned, will determine the *ex-gratia* payment, if any, and will advise the Department concerned accordingly.

20. If the Committee decides to take out a patent for exploitation, the Secretary will proceed with the application, and on obtaining a patent, take the necessary steps to get the inventor's under the patent assigned to the Government.

21. In all cases where the Committee decides to take out patents for exploitation, it will decide also the manner in which the patents should be exploited.

22. Inventions which the Committee considers are of no interest to Government either for commercial exploitation or publication for free use to the public, will be returned to the inventors, if they so desire, and they will be allowed to take out patents for their own benefit subject to—

(i) the reservation of the right of Government to the use of the invention either without payment/or on such terms as the Government may consider reasonable;

(ii) the condition that the inventor will not assign or deal with or grant licence to any person without obtaining the prior permission of the Government.

ANNEXURE 'A'

(See Instruction 8)

SECRET

Request for permission to file an application for a Patent accompanied by a Provisional Specification direct to the Patent Office

(To be filed in quadruplicate)

I/We hereby request permission to file an application for an Indian patent accompanied by a Provisional Specification in request of (here give title of invention). In consideration of grant of such permission I/we agree and declare as follows :

2. I/We declare that this invention has not been evolved in the course of my/our official duties and as a result of the research and facilities provided at Government expense.

3. Four copies of the Provisional Specification which it is proposed to forward to the Controller of Patents and Designs, Calcutta (or an equivalent description of the invention) accompany this request. Immediately after despatching the application, I/we will submit two exact copies of the documents forwarded to the Controller of Patents and Designs.

4. I/We wish to apply for a patent, in my/our name(s) on the understanding that I/we would hold the patent when granted, in trust for the Governor of Maharashtra (hereinafter called Government) and will assign the same to Government, whenever, called upon to do so.

5. I/We will, if so ordered, withdraw my/our application for a patent.

6. I/We will not file the Complete Specification in respect of this invention without the prior permission of the Government or in the manner as may be directed in the matter.

7. I/We will not apply for a patent in any other country in respect of this invention without the prior permission of the Government.

Inventor's Signature

Designation

Date

My/Our address for service in India is.....

Permission granted.

Signature of the Head of the Research Organisation.....

Designation

Date Received one copy.

Signature of the inventor (or inventors).....

Dated

By order and in the name of the Governor of Maharashtra,

V. PRABHAKAR,
Special Secretary to Government.

COMPARATIVE TABLE

Note.—This comparative table has been prepared solely for the purposes of facilitating reference.

Rule No. from Maharashtra Civil Services (General Conditions of Services) Rules, 1981	Corresponding Rule Numbers from Bombay Civil Services Rules, 1959	Remarks	Rule No. from Maharashtra Civil Services (General Conditions of Services) Rules, 1981	Corresponding Rule Numbers from Bombay Civil Services Rules, 1959	Remarks
1	2	3	1	2	3
Chapter I—General			9 (8)	.. 9 (12)	
1 (1) (2)	.. 1		9 (9)	.. 9 (13)	
2 (a), 2 (b)	.. 2 (a), 2 (b)		9 (10)	.. 9 (13-A)	
2 (c)	.. 146		9 (11)	.. 9 (13-B)	
<i>Note 1</i>	.. <i>Note 5</i> below 2		9 (12)	.. 9 (14)	
<i>Note 2</i>	.. <i>Note 2</i> below 2		9 (13)	.. 9 (15)	
<i>Note 3</i>	.. 148		9 (14) (a)	.. 9 (16) (a)	
3	.. 3		9 (14) (b)	.. 9 (16) (b)	
4	.. 3-A		9 (14) (c)	.. 9 (16) (c)-Part	
5	.. 4		9 (14) (d)	.. 9 (16) (c)-Part	
6	.. 5		<i>Note 1</i>	.. <i>Note 2</i>	
7	.. 6		<i>Note 2</i>	.. <i>Note 3</i>	
<i>Note</i>	.. <i>Note</i>		<i>Note 3</i>	.. <i>Note 4</i>	
8	.. 8		<i>Note 4</i>	.. <i>Note 5</i>	
Chapter II—Definitions			<i>Note 5</i>	.. <i>Note 6</i>	
9	.. 9		9 (14) (e)	.. 9 (16) (f)	
9 (1)	.. 9 (2)		<i>Note 1</i>	.. <i>Note 1</i> below 9 (16) (f)	
9 (2)	.. .....	New	<i>Note 2</i>	.. <i>Note 2</i> below 9 (16) (f)	
9 (3)	.. 9 (4)		9 (14) (f)	.. <i>Note</i> below 9 (16) (h)	
9 (4)	.. 9 (5)		9 (14) (g)	.. 9 (16) (i)	
9 (5)	.. 9 (8)		9 (14) (h) (i)	.. 9 (16) (j ¹)	
9 (6)	.. 9 (9) and <i>Note</i> thereunder		<i>Note</i>	.. <i>Note</i>	
9 (7)	.. 9 (10)		9 (14) (h) (ii)	.. 9 (16) (j ²)	

1	2	3	1	2	3
9 (14) (h) (iii)	..	9 (16) (j ³)	9 (28)	..	..... New
9 (14) (h) (iv)	..	9 (16) (j ⁴)	9 (29)	..	9 (30)
9 (14) (h) (v)	..	9 (16) (j ⁵) and (j ⁷)	9 (30)	..	9 (31)
9 (14) (h) (vi)	..	9 (16) (j ⁶)	9 (31)	..	9 (32)
9 (14) (h) (vii)	..	9 (16) (k)	9 (32)	..	9 (33)
Note	..	Note	9 (33)	..	9 (35)
9 (14) (i)	..	9 (16) (l)	9 (34)	..	9 (36)
9 (14) (j)	..	9 (16) (m)	Instruction	..	Instruction
9 (15)	..	9 (17)	9 (35)	..	9 (37)
Note 1	..	Note 2	9 (36)	..	9 (39) (a)
Note 2	..	Note 3	9 (37)	..	9 (40)
9 (16)	..	9 (18)	9 (38)	..	9 (41)
Note 1	..	Note 1	Note 1	..	.. New
Note 2	..	Note 2	Note 2	..	.. New
9 (17)	..	9 (18-A)	9 (39)	..	9 (42)
Note	..	Note 2	9 (40)	..	9 (43)
9 (18)	..	9 (19)	9 (41)	..	9 (44)
9 (19)	..	9 (20)	9 (42)	..	9 (46)
9 (20)	..	9 (21)	9 (43)	..	9 (47)
Exception	..	Exception 2	Note 1	..	Note 2 below 9 (16) (a)
9 (21)	..	9 (22-A)	Note 2	..	Note 2 below 9 (47)
9 (22)	..	9 (23)	Note 3	..	Note 5 below 9 (16) (a)
9 (23)	..	9 (24)	9 (44)	..	9 (47-A)
9 (24)	..	9 (25)	9 (45)	..	9 (48)
9 (25)	..	9 (26)	9 (46)	..	9 (48-A)
9 (26)	..	9 (27)	9 (47)	..	9 (49)
9 (27)	..	9 (28)	9 (48)	..	9 (49-A)

1	2	3	1	2	3
9 (49)	.. 9 (50)		15 (2)	.. 14 (b) and Note below it	
9 (50)	.. 9 (52)		15 (3)	.. 14 (d)	
9 (51)	.. 9 (53)		15 (4)	.. 14 (e)	
9 (52)	.. 9 (54)		<i>Exception</i>	.. <i>Exception below 14 (a)</i>	
9 (53)	.. 9 (56)		16	.. Part of Rule 14 (a)	
<i>Note</i>	.. <i>Note</i>		17	.. 14-A	
<i>Instruction</i>	.. <i>Instruction</i>		18	.. 14-B	
9 (54)	.. 9 (56-A)		19	.. 15	
<i>Note</i>	.. <i>Note</i>		20	.. 18-A	
9 (55)	.. 9 (57)		21 (1)	.. 18 (a)	
9 (56)	.. 9 (58)		21 (2)	.. 18 (b)	
9 (57)	.. 9 (59)		21 (3)	.. 18 (c)	
9 (58)	.. 9 (60)		22	.. 18-B	
Chapter III—General Conditions of Services			<i>Note</i>	.. ..	New
10	.. 32		23 (1)	.. 19 (a)	
<i>Note</i>	.. <i>Note</i>		23 (2)	.. 19 (b)	
11 (1)	.. 10		<i>Note</i>	.. <i>Note</i>	
11 (2)	.. <i>Note 1 below 14 (a)</i>		23 (3)	.. 19 (c)	
<i>Note 1</i>	.. <i>Note 1 below 10</i>		23 (4)	.. 19 (d)	
<i>Note 2</i>	.. <i>Note 5 below 14 (a)</i>		<i>Note 1</i>	.. <i>Note 1</i>	
<i>Note 3</i>	.. <i>Note 2, 14 (a)</i>		<i>Note 2</i>	.. <i>Note 2</i>	
<i>Note 4</i>	.. <i>Note 3, 14 (a)</i>		23 (5)	.. 19 (e)	
<i>Note 5</i>	.. <i>Note 4, 14 (a)</i>		23 (6)	.. 19 (f)	
12	.. 11		<i>Instruction</i>	.. <i>Instruction</i>	
13	.. 12		24	.. 20	
14	.. 13		25 (1)	.. 20-A (a)	
15 (1)	.. 14 (a)		25 (2)	.. 20-A (b)	

1	2	3	1	2	3
26	.. 21		<i>Instruction</i>	.. ..	New
27 (1)	.. 22 (a)	} <i>Note 1</i>	38 (3)	.. 171	
27 (2)	.. 22 (b)		38 (4)	.. 171	
28	.. 24		<i>Exemptions</i>	.. <i>Exemptions</i>	
<i>Exception</i>	.. <i>Exception</i>		<i>Note 1</i>	.. <i>Note 1</i>	
29	.. 27		<i>Note 2</i>	.. <i>Note 2</i>	
30	.. 28		39	.. 170	
31 (a)	.. <i>Exception 2</i> below 29		40	.. 169	
31 (b)	.. 29		41	.. 168	
31 (c)	.. <i>Note</i> below 29		42	.. 172	
31 (d)	.. <i>Exception 1</i> below 29		43	.. 173	
<i>Instruction</i>	.. <i>Instruction</i>		44	.. 174	
<i>Note</i>	.. ..	New	45	.. 177	
32	.. 31		<i>Note</i>	.. <i>Note 2</i>	
33	.. 23		46	.. 175	
34	.. 17		47	.. 178	
Chapter IV—Maintenance of Record of Service			48	.. 179 and <i>Note</i>	
35	.. 166		49	.. 179-A	
36	.. 167		Chapter V—Patents to Government Servants engaged in Scientific and Technical Research		
<i>Instruction</i>	.. <i>Instruction</i>		50	.. 862	
37	.. 176		<i>Note</i>	.. <i>Note</i>	
<i>Instruction</i>	.. <i>Instruction</i>		51	.. 863	
38 (1)	.. 171		Chapter VI—Repeal and Saving		
38 (2)	.. 171		52	.. 864	

II

The following Rules/Notes/Instructions/Exceptions etc. from the Bombay Civil Services Rules, 1959, stand deleted:—

Rule Number	Rule Number
Notes 1, 4 and 6 below Rule 2	9 (34)
9 (1)	Note below Rule 9 (35)
9 (6)	9 (38)
9 (10-A)	9 (39) (b) and Note thereunder.
Notes 1, 3 and 4 below Rule 9 (16) (a)	Note 1 below Rule 9 (47)
Note below Rule 9 (16) (b)	Note below Rule 9 (48)
Note 1 below Rule 9 (16) (c)	9 (51) and Note below it
9 (16) (e) & (g) and Note below it	Note below 9 (53)
9 (16) (h)	9 (55)
Note 1 below Rule 9 (17)	Instruction below Rule 15
Note 1 below Rule 9 (18-A)	Instruction below Rule 22
Exception 1 below Rule 9 (21)	Rule 25 and Note below it
Exceptions 1 and 2 and Notes below Rule 9 (27)	Note 2 below Rule 22 (b)
9 (29)	Notes 1 and 3 below Rule 177.

III

The following Rules/Notes/Instructions etc. from Bombay Civil Services Rules, 1959, stand transferred to other parts of rules as shown below:—

- (1) Note below rules 9 (25) transferred to Maharashtra Civil Services (Honoraria, Fees, Compensatory Local and House Rent Allowances) Rules.
- (2) Rule 9 (41), clauses and all notes thereunder and rule 9 (41-A) and all notes thereunder transferred to appropriate place in the Maharashtra Civil Services (Pension) Rules.
- (3) Rule 33 transferred to Maharashtra Civil Services (Leave) Rules, 1981.

(BS292)