

**GOVERNMENT OF PUDUCHERRY  
DIRECTORATE OF SCHOOL EDUCATION  
PUDUCHERRY**

No.01/DSE/E5/B/2019

dt.24.09.2019

**CIRCULAR**

Sub: Overstayal of Leave/unauthorised absence from duty –  
Initiation of Immediate action – Instructions – Issued.

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Instances have come to the notice of the Directorate that the staff, who abstain from duty unauthorisedly / stay beyond the sanctioned leave, without any leave application, for a long period, even for years together, raise claim to rejoin to the Government Service. Moreover, it has been observed that due importance is not being given by the Authority concerned to the extant rules, for taking immediate and appropriate action against Government Servants staying away from duty without prior sanction of leave or overstaying the period of sanctioned leave.

2. Keeping in view the above, attention of all the Heads of offices/inspecting officers, is invited to the various provisions of the relevant rules, as indicated below, for strict adherence.

- (i) **Rule 12(2) of CCS (Leave) Rules 1972:** 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.
- (ii) **GoI's Decision(2) under Rule 25 of CCS(Leave) Rules, 1972:** Action under CCS(CCA) Rules 1965 can be taken for unauthorised absence from duty or overstayal of leave even for one day, treating it as misconduct, if the facts and circumstances of the case warrant such an action.
- (iii) **GoI's Decision (3(2)) under Rule 25 of CCS(Leave) Rules, 1972:** A Temporary Government servant who remains absent unauthorisedly without proper permission should be departmentally proceeded against immediately and this should not be put off till the absence exceeds the limit prescribed in Rule 32(2)(a) of the CCS(Leave)Rules 1972 , i.e., three months.
- (iv) **GoI's (3(i)) under Rule 43-C of CCS (Leave) Rules, 1972:** Any employee, under no circumstances, can proceed on Child Care Leave without prior proper approval of the leave by the leave sanctioning authority.

3. Special attention is much needed in the cases of employees who proceed on leave to visit foreign countries after obtaining NOC and fail to re-join duty on expiry of leave sanctioned, as most of such occurrences are not being brought to the notice of the Controlling Officers/Inspecting officers by the Heads of Institutions/Offices, instantaneously, to avoid delay in taking departmental action against the erring officials. Also, the Decisions of Government of India, in regard to grant of leave to a Government Servant to go abroad and requisite condition of getting prior permission for leaving station/headquarters for going abroad while on leave, given under Rule 17 of CCS (Leave) Rules- 1972 be meticulously followed.

4. The consolidated instructions issued in Office Memorandum No.13026/3/2012-Estt (Leave) dt. 28.03.2013 of the Department of Personnel and Training, New Delhi [Govt. of India Decision No.5 under Rule 25 of CCS (Leave) Rules] relating to the action warranted against Government servants remaining away from duty without authorisation/grant of leave and indicated relevant proviso/Rules, in situations of unauthorised absence of Government Servants shall be strictly adhered to initiate appropriate action.

5. All the authorities concerned shall bestow their personal attention in regard to initiation of immediate and appropriate action against the Government Servants who absented themselves from duty unauthorisedly /without grant of leave, in the interest of Administration.



(P.T.RUDRA GOUD)

DIRECTOR OF SCHOOL EDUCATION

1/2

**To:**

All the Inspecting Officers,  
Puducherry/Karaikal/Mahe/Yanam... for strict adherence and to bring the circular to the knowledge of Head of Institutions in their respective jurisdiction

**Copy to:**

1. The Private Secretary, Director of School Education, Puducherry
2. The EDP Section, Dte. of School Education, Puducherry .. to host in Directorate website.
3. Spare copy