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.

Instances have come to the notice of the Directorate that the staff, who
abstain from duty unauthorizedly / 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

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