

5. ¹THE ALL INDIA SERVICES (STUDY LEAVE) REGULATIONS, 1960

In pursuance of sub-rule (1) of rule 17 of the All India Services (Leave) Rules, 1955, the Central Government in consultation with the State Governments concerned hereby makes the following regulations namely:—

1. **Short title.**—These regulations may be called the All India Services (Study Leave) Regulations, 1960.

2. **Definitions.**—

2(1) In these regulations, unless the context otherwise requires:

2(1) (a) 'Audit Officer' means such officers as may be appointed by the Comptroller and Auditor General of India.

2(1) (b) 'Head of Mission' means Ambassador, Charge d' Affairs, Ministers, Consul-General, High Commissioner and any other authority declared as such by the Central Government in the country in which the member of the Service undergoes a course of study or training.

2(1) (c) 'Pay and Accounts Officer' means such officer as may be appointed by the Ministries of Departments of the Government of India in consultation with the Comptroller and Auditor General of India.

2(1) ²(d) 'State Government' means the Joint Cadre Authority in relation to a member of an All India Service borne on a Joint Cadre.

2(2) All other words and expressions used in these regulations but not defined shall have the meanings respectively assigned to them in the All India Services (Leave) Rules, 1955.

3. **Conditions for grant of study leave.**—

³3(1) Subject to the conditions prescribed in these regulations, study leave may be granted to a member of the Service, with due regard to the exigencies of public service, to enable him to undergo, in or out of India—

3(1) (i) a special course of study consisting of higher studies or specialised training in a professional or technical subject having a direct and close connection with the sphere of his duty; or

3(1) (ii) a course of training or study tour, where such course of training or study tour is related to the sphere of his duties even though he/she may not attend a regular academic or semi-academic course; or

3(1) (iii) studies connected with the framework or background of public administration; or

3(1) (iv) studies which may not be closely or directly connected with the work of the member of the Service, but which are capable of widening his mind in a manner likely to improve his ability as a civil servant and to equip him better to collaborate with those employed in other branches of public service:

¹ The principal regulation was notified vide GSR No.666 dt. 18.06.1960

² Inserted vide DP&AR Notification No. No. 12/4/71—AIS(III) dated 11.01.1972 (GSR No. 840 dt. 25.01.1972)

³ Substituted vide MHA Notification No. 16/2/61—AIS(III) dated 16.07.1962 (GSR No. 965 dt. 21.07.1962)

Provided that the grant of study leave under clauses (ii) and (iii) shall be subject to the following conditions, namely:—

- (a) that the particular course of training, study or study tour is approved by the authority competent to grant study leave; and
- (b) that the member of the Service is required to submit, on his return, a full report on the work done by him while on study leave.

Note.— Applications for study leave falling under clause (iv) shall be considered on merits of each case, in consultation with the Central Government.

3(2) Study leave shall not be granted unless—

- 3(2) (i) it is certified by the Government that the proposed course of study or training shall be of definite advantage from the point of view of public interest; and
- 3(2) (ii) it is for prosecution of studies in subjects other than academic or literary subjects.

⁴3(3) Study leave out of India shall not be granted—

- 3 (3) (i) without the prior approval of the Central Government; and
- 3(3) (ii) for the prosecution of studies in subjects for which adequate facilities exist in India or under any of the Schemes administered by the Government of India.

3(4) Study leave shall not⁵ be granted to a member of the Service—

- 3(4) (i) who has rendered less than 'seven years' service under the Government:

⁶Provided that the All India Service Officers borne on the North East Cadres of Assam-Meghalaya, Manipur-Tripura, Nagaland and Sikkim shall be eligible for the study leave after completion of six years' service under the Government; and

- ⁷3(4) (ii) who is due to reach the age of superannuation within three years from the date on which he is expected to return to duty after the expiry of leave.

3(5) Study leave shall not be granted to a member of the Service with such frequency as to remove him from contact with his regular work or to cause cadre difficulties owing to his absence on leave.

⁸3(6) Where a member of the Service borne permanently on the cadre of one State is serving, temporarily in another State or under the Central Government, the grant of study leave shall be subject to the condition that the concurrence of the State Government, on whose cadre he is permanently borne, is obtained before the leave is given.

⁴ Substituted vide DP&AR Not. No. 3/1/72—AIS(III) dated 14.12.1972 (GSR No. 1617 dt. 30.12.1972)

⁵ Deleted vide Notification No. 11020/14/97—AIS(III) dated 23.02.1998 (GSR No. 57 dt. 14.03.1998)

⁶ Inserted vide Notification No.11020/12/2006-AIS-III dated 11.06.2007 (GSR No.427(E) dt.13.06.2007)

⁷ Substituted vide DP&AR Notification No.11020/24/79-AIS(III) dated 04.10.1980 ((GSR No. 1073 dt. 18.10.1980) and again substituted vide Notification No,11020/02/2003-AIS-III dt.13.10.2004 (GSR No.366 dt.23.10.2004)

⁸ Substituted vide MHA Notification No.14/6/69—AIS(III) dated 16.07.1969 (GSR No. 1746 dt. 27.06.1969)

4. Maximum amount of study leave that may be granted at a time and during the entire service.— The maximum amount of study leave, which may be granted to a member of the Service, shall be—

- 4(i) ordinarily twelve months at any one time, which shall not be exceeded save for exceptional reasons; and
- 4(ii) twenty-four months (inclusive of study leave granted under any other rules) in all during his entire service:

⁹Provided that the All India Service Officers selected for fellowships approved by the Government of India, from time to time, by general or special orders, will be granted study leave for the entire period of fellowship, not exceeding twenty-four months.

5. Combination of study leave with leave of other kinds.—

- ¹⁰5(1) 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 generally and thirty—six months for the courses leading to Ph.D degree from the regular duties of the member of the Service.

Explanation:— The limit of twenty-eight months or thirty-six months of absence prescribed in this sub-regulation includes the period of vacation.

- 5(2) A member of the Service granted study leave in combination with any other kind of leave may, if he so desires, commence his study before the end of the other kind of leave but the period of such leave coinciding with the course of study shall not count as study leave.

6. Regulations of study leave extending beyond course of study— When the course of study falls short of study leave sanctioned, the member of the Service shall resume duty on the conclusion of the course of study, unless the previous assent of the government to treat the period of short-fall as ordinary leave has been obtained.

7. Grant of study and other allowance—

- ¹¹7 (1) A study allowance shall be granted to a member of Service who has been granted study leave out of India, for the period spent in prosecuting a definite course of study at a recognised institution or in any definite tour or 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:

Provided that the period for which study allowance may be granted shall not exceed twenty-four months in all.

- ¹²7(2) (a) The rates of study allowance shall be as follows, namely:—

| Name of country | Study allowance per diem |
|--------------------------|--------------------------|
| Australia | 1.00 (Pound Sterling) |
| Continent of Europe..... | 1.65 (Pound) |

⁹ Inserted vide DOP&T Notification No. 11017/38/87—AIS(III) dated 06.06.1989 (GSR No.658E dt.30.06.1989) and vide DOPT Notification No.11020/17/2000—AIS(III) dated 24.01.2001(GSR No. 74 dt. 10.2.2001)

¹⁰ Substituted/deleted vide DOP&T Notification No. 11020/9/91—AIS(III) dated 06.02.1992 (GSR No. 70 dt.22.02.1992)

¹¹ Substituted/deleted vide DP&AR Notification No.3/3/74-AIS(III) dated 28.10.1975 effective from 01.11.1973 (GSR No.2691 dt.22.11.1975)

¹² Substituted vide DP&AR Notification No.11020/3/75-AIS(III) dated 17.11.1975 (GSR No.2779 dt.13.12.1975)

| | |
|-------------------------------|--------------|
| New Zealand..... | 1.20 (Pound) |
| United Kingdom..... | 2.00 (Pound) |
| United States of America..... | 2.75 (Pound) |

7(2) (b) The rate of study allowance to be granted to a member of the Service who takes study leave in other countries shall be such as may specially be determined by the Central Government.

7(2) (c) No allowance of any kind, other than the study allowance, ¹³house rent “allowance” where admissible, dearness allowance or the travelling allowance, ¹⁴where specially sanctioned under sub-regulation (10)of the regulation 7, shall be admissible to a member of the Service in respect of the period of study leave granted to him.

7(3) Study allowance may be paid at the end of every month provisionally subject to an undertaking in writing being obtained from the member of the Service that he would refund to Government any overpayment consequent on his failure to produce the required certificate of attendance or otherwise.

7(4) A member of the Service may be allowed to draw study allowance for the entire period of vacation during the course of study subject to the conditions that—

(i) he attends during vacation any special course of study or practical training under the direction of the Government; or

(ii) in the absence of any such direction, he produces satisfactory evidence before the Government or Head of Mission, as the case may be, that he has continued his studies during the vacation.

7(5) No study allowance shall be drawn during the vacation falling at the end of a course of study except for a maximum period of fourteen days.

NOTE— The period of vacation during which study allowance is drawn shall be taken into account in calculating the maximum period of twenty four months for which study allowance is admissible.

7(6) Study allowance shall not be granted for any period during which the member of the Service interrupts his course of study to suit his own convenience.

Provided that the Government, in case where the study leave is taken in ¹⁵a country where there is no Indian Mission, and the Head of Mission in other cases, may authorise the grant of study allowance for any period not exceeding fourteen days at a time during which the member of the Service is prevented by sickness from pursuing his course of study.

7(7) In case of definite course of study at a recognised institution, the study allowance shall be payable by the Government, if the study leave availed of is in ¹⁶a country where there is no Indian Mission, and by the Head of

¹³ Inserted/substituted vide DP&T Notification No.11020/27/83-AIS(III) dated 25.10.1985 (GSR No.1040 dt.9.11.1985)

¹⁴ Inserted vide DP&AR Notification No.11020/2/77-AIS(III) dated 01.10.1977 effective from 14.5.1977(GSR No.1431 dt. 29.10.1977)

¹⁵ Substituted/deleted vide DP&AR Not. No. 3/3/74—AIS(III) dated 28.10.1975 effective from 01.11.1973 (GSR No. 2691 dt. 22.11.1975)

¹⁶ ibid note 14

Mission in other cases, on claims submitted by the member of the Service from time to time, supported by proper certificates of attendance.

- 7(8) 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 member of the Service is undergoing study in an educational institution, or at intervals not exceeding three months, if he is undergoing study at any other institution.
- 7(9) When the programme of study approved does not include, or does not consist entirely of such a course of study, the member of the Service shall submit to the Government or Head of Mission, as the case may be, a diary showing how his time has been spent and 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. The Government shall decide whether the diary and report show if the time of the member of the Service was properly employed and shall determine accordingly for what periods study allowance may be granted.
- 7(10) A member of the Service shall not ordinarily be paid travelling allowance but the Government may in exceptional circumstances sanction the payment of such allowance.
- 7(11) A member of the Service, who is granted study leave, may be 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. Such a member of the Service shall ordinarily not be granted any study allowance; but in special cases where the net amount of the scholarship or stipend (i.e. the value of the scholarship or stipend minus any cost of fees paid by the member of the Service) is less than the study allowance that would be admissible but for the scholarship or stipend, the difference between the value of the net scholarship or stipend and the usual study allowance may be granted by special sanction.
- 7(12) If a member of the Service, who is granted study leave, is permitted to receive and retain, in addition to his leave salary, any remuneration in respect of a part-time employment, he shall ordinarily not be granted any study allowance; but in special cases where the net amount of remuneration received in respect of the part-time employment (i.e. remuneration minus any cost of fees paid by the member of the Service) is less than the study allowance that would be admissible but for the remuneration, the difference between the net remuneration and the usual study allowance may be granted by special sanction.

8. Cost of fees for study— A member of the Service granted study leave 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:

¹⁷ Provided that in no case shall the cost of fees be paid to a member of the Service, who is in receipt of scholarship or stipend, or who is permitted to receive or retain, in addition to his leave salary, any remuneration in respect of part-time employment, if the quantum of the stipend or scholarship or remuneration from part-time employment is equal to or more than the amount of fees payable:

¹⁷ Substituted vide DOP&T Notification No. 11020/21/84—AIS(III) dated 23.06.1986 (GSR No.496 dt. 15.07.1986)

Provided further that in case where the quantum of scholarship or stipend or remuneration in respect of part-time employment is less than the fees payable, the member of the Service may be sanctioned the amount equivalent to the difference between the quantum of such scholarship or stipend or remuneration in respect of part-time employment and the fees.]

¹⁸9. Resignation or retirement after study leave or non-completion of the course of study.—

¹⁹9(1) Every member of the Service, who has been granted study leave or extension of such leave shall be required to execute a bond as given in Appendix A or Appendix AI, as the case may be, annexed to these regulations before the study leave or extension of such leave granted to him commences. The Government shall send to the Audit Officer and in respect of the Ministry or Department where audit has been separated from accounts to Pay and Accounts Officer as well, a certificate to the effect that the member of the Service has executed the requisite bond.

²⁰9(2) If a member of the Service resigns or retires from Service without returning to duty after a period of study leave or within a period of three years after such return to duty or fails to complete the course of study and is thus unable to furnish the certificates referred to in Appendix 'B' to these regulations he shall be required to refund.-

- (i) the actual amount of leave salary, study allowance, cost of fees, travelling and other expenses, if any, drawn by him for the period of study leave, and
- (ii) the actual amount, if any, of the cost incurred in connection with the course of study by other agencies, such as the foreign Government, Foundations, or Trusts.

together with interest thereon, at Government 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:

²¹Provided that save in the case of members of the Service who fail to complete the course of study nothing in this regulation shall apply—

- (a) to member of the Service who, on return to duty from study leave, is permitted to retire from service on medical grounds, and
- (b) to a member of the Service, 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.

9(3) The study leave availed of by such a member of the Service shall be converted into regular leave standing at his credit on the date on which

¹⁸ Amended vide DOP&T Notification No. 11020/10/84—AIS(III) dated 23.07.1986 (GSR No.584 dt. 09.08.1986)

¹⁹ Substituted vide DOP&T Notification No. 13/2/64—AIS(III) dated 07.12.1964 (GSR No. 1747 dt.12.12.1964)

²⁰ Substituted vide DOP&T Notification No. 14/13/68—AIS(III) dated 09.11.1971 (GSR No. 1857 dt. 11.12.1971)

²¹ Omitted vide DP&T Notification No. 1/3/72—AIS(III) dated 16.05.1972 (GSR No. 666 dt. 10.06.1972 and inserted vide DOP&T Notification No. 11020/10/84—AIS(III) dated 23.07.1986 (GSR No.584 dt. 09.08.1986)

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. In addition to the amount to be refunded by the member of the Service under sub-regulation (2), he shall be required to refund any excess of leave salary actually drawn over the leave salary admissible on conversion of the study leave as above.

²²9 (4) Notwithstanding anything contained in the foregoing sub-regulations, the Government may, if it is necessary or expedient so to do, 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-regulation (2) by the member of the Service concerned or class of members of the Service.

²³10. **Leave salary, during study leave.—**

²⁴10(1) During the study leave availed of outside India a member of the Service shall draw leave salary equal to amount of pay that the member of the Service drew while on duty immediately before proceeding on such leave and in addition the dearness allowance, the house rent allowance and study allowance admissible under Regulation 7.

²⁵10(2) (a) During study leave availed of in India, a member of the Service shall draw leave salary equal to the pay that the member of the Service drew while on duty immediately before proceeding on such leave and in addition dearness allowance and house rent allowance.

10(2) (b) Payment of leave salary at full rate under clause (a) shall be subject to furnishing of a certificate by the member of the Service to the effect that he is not in receipt of any scholarship or stipend or remuneration in respect of any part-time employment.

10(2) (c) The amount, if any received by a member of the Service during the period of study leave as scholarship or stipend, or remuneration in respect of any part-time employment, as envisaged in sub-regulation (11) and (12) of regulation 7, shall be adjusted against the leave salary payable under this sub-regulation, 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.

10(2) (d) No study allowance shall be paid during study leave for course of study in India.

²⁶10(2)(e) Notwithstanding anything contained in these regulations, a member of the Service who has availed himself of study leave in connection with a fellowship approved by Government of India from time to time by general or special order shall be entitled to receive the full value of the fellowship and full pay including dearness allowance and house rent

²² Substituted/deleted vide DP&AR Notification No. 3/3/74—AIS(III) dated 28.10.1975 effective from 01.11.1973 (GSR No.2691 dt. 22.11.1975)

²³ Substituted vide DOP&T Notification No.14/8/66—AIS(III) dated 04.10.1967 (GSR 1595 dt. 28.10.1967)

²⁴ Inserted/substituted vide DOPT Notification No.11020/27/83—AIS(III) dated 25.10.1985 (GSR No. 1040 dt. 9.11.1985)

²⁵ Ibid note 23

²⁶ Inserted vide DOP&T Not.No.11017/38/87-AIS-III dated 06.06.1989 (GSR No.658E dt. 30.06.1989)

allowance that he would have been entitled to had he not received any fellowship.

11. Counting of study leave for promotion, pension, seniority, leave and increments—

11(1) Study leave shall count as service for promotion, pension, seniority and increments, provided that in the case of a member of the Service who, at the time of proceeding on study leave, was officiating in a higher post the study leave shall count for increments to the extent indicated by Government from time to time.

²⁷11(2) [deleted]

12. Procedure for making application for study leave and grant of such leave.—The procedure for making application for study leave and grant of such leave shall be as laid down in the Procedural Instructions given in Appendix B annexed to these regulations.

²⁷ Deleted vide DP&AR Notification No.11020/4/81-AIS-III dated 21.12.1981(GSR No.6 dt. 02.01.1982)

APPENDIX 'A'
[See Regulation 9(i)]

Bond to be executed by the member of the Service proceeding on study leave.

KNOW ALL MEN BY THESE PRESENTS THAT I resident of..... in the District of.....at present employed as.....in the Ministry of.....Government of India/under the Government ofdo hereby bind myself, my heirs, executors and administrators to pay to the President of India (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 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 conditions 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 failing to complete the course of study or at any time within a period of three years/five 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.

NOW FURTHER THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT the period of my bond mandating putting in service for the period as specified above, after expiry of the study leave availed by me, shall be extended by a comparable period, equivalent to the aggregate periods of leave of any kind availed by me, during the currency of the bond period.

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 of India.

Signed and dated this.....day oftwo thousand.....

Signed and delivered by.....

In the presence of.....

Witnesses: 1.

2.

ACCEPTED
For and on behalf of the
President of India/the Governor

Explanation: The term currency of bond means the period during which the liability of the member of the Service is activated and the right of the Government is alive to claim the predetermined and stipulated amounts from the member of the Service who fails to discharge his obligation.

APPENDIX 'A.I'
[See Regulation 9(i)]

Bond to be executed by the member of the Service granted extension of study leave.

KNOW ALL MEN BY THESE PRESENTS THAT I.....resident of.....in the District.....at present employed in the Ministry of..... Government of India/under the Government.....do hereby bind myself and my heirs, executors and administrators to pay to the President of India (hereinafter called "the Government") on demand the sum of Rs.....(Rupees.....) together with interest thereon from the date of demand at Govt. 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..... was granted study leave by Government for the period fromto..... in consideration of which I executed a bond dated..... for Rs..... (Rupees.....only) in favour of the President of India.

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 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 so extended or failing to complete the course of study or at any time within a period of three years/five 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.

NOW FURTHER THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT the period of my bond mandating putting in service for the period as specified above, after expiry of the study leave availed by me, shall be extended by a comparable period, equivalent to the aggregate periods of leave of any kind availed by me, during the currency of the bond period.

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 of India.

Signed and dated this.....day oftwo thousand.....

Signed and delivered by.....

In the presence of.....

Witnesses: 1.

2.

ACCEPTED

For and on behalf of the
President of India/the Governor

Explanation: The term currency of bond means the period during which the liability of the member of the Service is activated and the right of the Government is alive to claim the predetermined and stipulated amounts from the member of the Service who fails to discharge his obligation.

APPENDIX 'B'

[See Regulation 12]

Procedural instructions for making application for study leave and grant of such leave

1. Except as otherwise provided in these regulations, all applications for study leave shall be submitted with the Audit Officer's or Pay and Accounts Officer's certificate, as the case may be, to Government through the prescribed channel and the course or courses of study contemplated and any examination which the member of the service proposes to undergo shall be clearly specified therein. If the course of study is out of India, Government will forward to the Head of Mission, if there is an Indian Mission in that country, a copy of the approved programme of study. In case where it is not possible for the member of the Service to give full details in his original 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 Mission or the Government, as the case may be. In such case he 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 approval of the Government to the course.

2 (1) On an application for the study leave out of India being sanctioned by the Government, it shall inform the Head of Mission, if there is an Indian Mission in that country, of the particulars of the case.

(2) The member of the Service shall also place himself in communication with the Head of Mission, if there is an Indian Mission in that country, and he will arrange any details and issue any letter of introduction that may be required.

3. On completion of a course of study a certificate in form prescribed by Government together with certificates of examinations passed or special courses of study undertaken, indicating the dates of commencement and termination of the course with remarks, if any, of the authority in charge of the course of study, shall be forwarded to the Head of Mission concerned. When the study leave has been taken in India or any

other country where there is no Indian Mission, such certificates shall be forwarded to the Government which sanctioned the leave.

GOVERNMENT OF INDIA'S DECISIONS

1. Executive Instruction 'B'-Prior approval of the Central Government is necessary for ex-India deputation/leave :- All cases, in which the State Government propose to send a member of an All India Service abroad on deputation or on leave due and admissible to him (including study leave) should be referred to the Department of Personnel in the case of members of the Indian Administrative Service, the Ministry of Home Affairs in the case of members of the Indian Police Service and the Ministry of Environment and Forests in the case of the members of the Indian Forest Service.

(Department of Personnel and A.R. letter No. 9/26/71—AIS(III), dated 23-9-1972).

2. General procedure to be followed by the applicant for facilitating proper examination of applications for ex-India deputation/leave: - Applications referred to above are required to be examined in consultation with the Ministries of Finance (Department of Economic Affairs and Expenditure), External Affairs and often the Ministry of Education and S.W. Clearance from the view point of the Foreign Contribution Regulation Act is also required in most cases. Accordingly, late submission of applications for placement in Foreign Universities or grant of study leave not only causes avoidable inconvenience to the concerned Departments but causes unnecessary anxiety to the applicants themselves.

2. The following procedure is therefore laid down with a view to facilitating proper examination of such applications:

- (i) Applications seeking admission to or grant of study leave for pursuing higher studies abroad should be forwarded to this Department at least two months before the last date prescribed for the purpose, unless there are convincing reasons for not doing so.
- (ii) Before forwarding applications for grant of study leave to this Department the State Government should satisfy themselves that the applicants fulfill the conditions of eligibility laid down in the AIS (Study Leave) Regulations, 1960. It is imperative that the State Government / Administrative Ministries furnish the certificate prescribed under regulation 3 of the AIS (Study Leave) Regulation 1960.
- (iii) While forwarding applications for placement in foreign Universities / grant of study leave State Governments etc. should furnish full particulars of the course of study, viz. the subjects in which admission is sought, the duration of the course, whether it leads to the award of a degree, diploma etc. The duration and nature of the leave required should also be specified.
- (iv) The manner in which the officer proposes to finance his stay abroad and in particular, to meet the foreign exchange requirements while on study abroad should be clearly spelt out. In case the officer proposes to seek or avail himself of any financial assistance by way of a scholarship or fellowship or take up part-time employment, the quantum, break up and source of the assistance/ remuneration, should also be mentioned.

- (v) Members of the Service concerned and the sponsoring Governments/ Administrative Ministries should not presume the sanction of study leave.
- (vi) Applicants should not make any preparations for journey etc. in anticipation of sanction of study leave to avoid frustration. They will do so only at their risk.

(D.P& A.R.'s letter No. 11020/20/77—AIS(III), dated 26th October, 1977).

3. Power of the Central Government to grant study leave in India has been delegated to the Ministries/Departments of the Government of India: - The powers of the Central Government to grant study leave in India under the All India Service (Study Leave) Regulations, 1960 to members of the All India Service working in or under them and those who are serving under a foreign Government are delegated to the Ministries / Departments of the Government of India.

2. It may, however, be ensured that the concurrence of the State Government on whose cadre the officer concerned is permanently borne is invariably obtained as required under sub-regulation (6) of regulation 3 of the All India Services (Study Leave) Regulations, 1960. Prior concurrence of the Department of Agriculture²⁸ in respect of members of the Indian Forest Service and the Ministry of Home Affairs in respect of the Indian Administrative Service and Indian Police Service borne on the U.T. Cadre, should also be obtained.

[G.O.I. Deptt. of Personnel O.M. No. 11020/20/77—AIS(III), dt. 20-11-78.]

4. The moS should serve the government for 2 to 3 years after returning from long-term training abroad before being recommended for study leave: - I am directed to refer to executive instructions issued under AIS(Study Leave) Regulations, which provides that before forwarding applications for grant of Study leave to this Department, the State Government should satisfy themselves that the applicants fulfill the condition of eligibility laid down in the AIS(Study Leave) Regulations.

2. In this regard, several cases have come to the notice of the Government where it has been seen that officers are being recommended for grant of study leave despite the fact that they have not served the Government for 2 or 3 years after returning from a long-term Government sponsored training programme abroad as they are bound to, in terms of the bond all such officers are required to sign before proceeding on training.

3. It is requested that henceforth in such cases, State Governments should give due consideration to this aspect and refrain from sending their recommendations to the Department of Personnel & Training.

(DOPT Letter No.11020/6/94—AIS(III) Dated 20.7.94 to the Chief Secretaries of all State Govts.)

GOVERNMENT OF INDIA'S ORDERS UNDER REGULATION 3

1. Study leave shall not be granted before completion of seven years of Service: - Study leave shall not ordinarily be granted to a member of the Service who has rendered less than seven years of service under the Government.

2. This Department has been receiving proposals wherein the State Governments have recommended grant of extra ordinary leave, earned leave or other kinds of leave for the purpose of study even much before completion of seven years of service. This is in

²⁸ To be read as Ministry of Environment & Forests in the present context.

effect circumvention of the provision of the regulation 3(4)(i) of the AIS (Study Leave) Regulations, 1960.

3. The All India Services provide sufficient opportunities to their members to develop their personality by working in various responsible posts. The first seven years in service are the formative years and the members of the services should devote their time and energy to acquiring experience in their area of work in order to develop themselves for future higher responsibilities. No academic qualification can be a substitute for the experience acquired through handling various responsibilities in the Governments

4. It would be in the public interest and also in the interest of the members of Services that first few years are devoted to enrichment through work experience instead of acquiring academic qualifications.

5. It, therefore, has been decided that neither study leave should be granted nor any other leave like earned leave or extra ordinary leave should be granted to a member of the Service for the purpose of study before completion of seven years of service under the Government.

6. It is requested that these instructions may be brought to the notice of the members working in the respective State cadre.

(Letter No. 11020/10/97—AIS—III dated 22.12.1997 to the Chief Secretaries of All States/UTs.)

2. The moS should submit a full report on the work done on study leave after completion of leave: - As per Regulation 3(1)(iv), there is no requirement of submitting the study report at the end of study leave by a member of the Service.

2. Now it has been decided that in cases where study leave is granted under this Regulation, a member of the Service should be required to submit, on his/her return a full report on the work done by him/her on study leave.

(GOI, DOPT Letter No. 11020/18/94—AIS(III) dated 9.8.1994.)

GOVERNMENT OF INDIA'S ORDERS UNDER REGULATION 10

1. Fellowships awarded by Jawaharlal Nehru Memorial Fund, KK Birla Foundation and IIMS are approved as courses of studies under the AIS(Study Leave) Regulations and moS is entitled to receive the fellowship:- The question relating to approving the fellowship/fellows programme awarded by KK Birla foundation, Jawaharlal Nehru Memorial Fund, IIMS as regular courses of studies for the purpose of grant of study leave under the AIS (Study Leave), Regulation, 1960, has been under consideration of the Government of India. It has been decided now to approve these fellowships as approved courses of studies for the purpose of grant of study leave under the AIS (Study Leave) Regulation, 1960, in view of these fellowships being of national level standards and involving substantial subject of study. The member of the Service in receipt of these fellowships will be entitled to receive the full value of the fellowship, in addition to his leave salary, in terms of rule 10 (2)(e) of the AIS (Study Leave) Regulations, 1960. However, all such cases where the members of the Service, who have been awarded these fellowship and are being considered for grant of study leave, should be referred to the Government of India for approval. State Governments may grant study leave for these fellowships when pursued in India.

(No.11019/5/99—AIS (III) dated 19.2.99 to Chief Secretaries of all States/Uts)

2. Fellowship Programme in Management (FPM) conducted by Management Development Institute (MDI), Gurgaon will be a regular course of studies for grant

of study leave: - The Management Development Institute at Gurgaon, Haryana is conducting a Fellowship Programme in Management (FPM) to provide management education at the doctoral level. The MDI, Gurgaon is recognized by AICTE. Therefore, the Fellowship Programme in Management now being conducted by MDI, Gurgaon has been included in the approved list of fellowships of the Government of India.

2. It has also been decided by the competent authority that this Programme will be a regular course of studies for grant of study leave to member of the All India Services and for the extension of benefits under Regulation 10(2) (e) of All India Services (Study Leave) Regulation, 1960.

(No.11019/2/2002—AIS—III dt. 18.04.2002 to Chief Secretaries of all States/UTs).

Copy of the letter No. 11020/13/2008-AIS-III(I) 27/03/2009 dated addressed to the Chief Secretaries of all States/Union Territories

Subject: - Negotiation and acceptance of assistance from domestic sources for financing study by members of the All India Services - Violation of rules regarding.

I am directed to say the power to give cadre clearance for ex-India study leave/leave for the purpose of pursuing study abroad vests with the respective cadre controlling authorities viz., Department of Personnel and Training in respect of IAS officers, Ministry of Home Affairs in respect of IPS officers and Ministry of Environment & Forests in respect of IFS officers. The proforma for obtaining cadre clearance from this Department (copy enclosed), inter alia, seeks information on expenditure (including travel, hospitality etc.), sources of funding and details of agencies bearing funding.

2. Instructions have been issued vide this Department's letter No. 11017/18/91-AIS-III dated 01.07.1991 that in case a member of the Service proposes to receive financial assistance for higher studies from any other foreign sources other than the financial assistance provided by the institution under which he studies, prior permission of the Government would have to be taken.

3. Attention is also invited to Rule 10 of the All India Services (Conduct) Rules, 1968, which provides that no member of the Service shall, except with the previous sanction of the Government or of such authority as may be empowered in this behalf, ask for, or accept contributions to or otherwise associate himself with the raising of any fund or other collections in cash or kind in pursuance of any objective whatsoever.

4. In this respect, a few cases have come to the notice of this Department wherein members of the Service have negotiated/taken financial assistance from private bodies and other domestic organizations, not known to sponsor study programmes, for financing their study programmes, without the previous knowledge of the Government, thereby violating the provisions of the All India Services (Conduct) Rules as well as the All India Services (Study leave) Regulations and the instructions issued thereunder. Further, the fact of negotiating with these organizations was concealed while applying for leave.

5. It has, therefore, been decided that-

- (a) No application for study leave or leave for study purposes shall be entertained unless the member of Service furnishes clear information on expenditure (including travel, hospitality etc.), sources of funding and details of agencies bearing funding.
- (b) No member of the Service shall negotiate for financial assistance from any institution (other than the one under which he/she intends and is permitted to pursue study) without the prior approval of the Government. Violation of this provision will make the member of Service liable for disciplinary action.
- (c) State Governments/Central Ministries/Departments, who are competent to grant study leave within Inaja, shall ensure, before granting the leave that the member of the Service has given clear information on expenditure (including travel, hospitality etc.), sources of funding and details of agencies bearing funding.

- (d) Before recommending the case of ex-India study leave/leave for study abroad to the respective cadre controlling authorities viz., the State Governments/Central Ministries/Departments -shall ensure that the member of the Service has given clear information on expenditure (including travel, hospitality etc.), sources of funding and details of agencies bearing funding. In the absence of clear details, cadre clearance shall not be given.

6. It is requested that contents of this letter may please be brought to the notice of all the AIS officers.

Copy of the letter No. 11020/09/2008-AIS-III dated 14/07/2008 d addressed to the Chief Secretaries of all States/Union Territories

Subject: - The All India Services (Study Leave) Regulations, 1960 - Regulation of grant of Study Leave to the members of the All India Services who are on deputation to the Government of India under the Central Staffing Scheme of the Department of Personnel and Training or as CVOs in the Public Sector Undertakings.

The powers of the Central Government to grant study leave, within India, to the members of the All India Services working in or under them have been delegated to the Ministries/ Departments of the Government of India, in this Department's letter No. 11020/20/1977-AIS-III, dated 20th November, 1978. This is, however, subject to the condition that prior consent of the State/Cadre to which the member of the Service is permanently borne, should be obtained.

2. The powers to grant ex-India study leave vest with the respective Cadre Controlling Authorities of the Central Government, i.e. the Department of Personnel & Training in respect of the members of the Indian Administrative Service, the Ministry of Home Affairs in respect of members of the Indian Police Service and the Ministry of Environment and Forests in respect of members of the Indian Forest Service, under regulation 3(3)(i) of the All India Services (Study Leave) Regulations, 1960.

3. In pursuance of this Department's O.M. NoA/6/2005-EO (MM.II) dated 23rd May, 2008, it has now been decided that the following procedure should be followed for the grant of study leave to the members of the All India Services, who are on deputation under the Central Staffing Scheme of the Department of Personnel and Training or as Chief Vigilance Officers in the Central Public Sector Undertakings:

- (i) It should be ensured that no member of the Service is allowed long term study leave before completion of two years of Central Deputation.
- (ii) In cases of **study leave within India**, where prior concurrence of the respective Cadre Controlling Authorities in the Central Government are not required, the concerned Ministries/Departments of the Government of India should obtain prior concurrence of the Department of Personnel and Training (EO Division) before considering the proposals of study leave, as required under the All India Services (Study Leave) Regulations, 1960.
- (iii) In cases of **study leave abroad**, the concerned Ministries/Departments of the Government of India should send the proposal for grant of study leave to the respective Cadre Controlling Authorities in the Central Government, which should obtain prior concurrence of the Department of Personnel and Training (EO Division) before giving its no objection.

- (iv) On completion of the study leave, the member of the Service shall automatically stand reverted to his/her parent cadre.

Copy of the letter No.11020/12/2005-AIS-III dated 30/04/2009 addressed to the Chief Secretaries of all States/Union Territories

Subject: The All India Services (Study Leave) Regulations, 1960 - Obtaining of prior approval of the Central Government for grant of/extension of ex-India study leave/leave in continuation of ex-India study leave.

I am directed to refer to this Department's letter No.9/26/71-AIS(III) dated 23rd September, 1972, which, inter-alia, envisages that all cases, in which the State Government propose to send a member of the All India Service abroad on leave including study leave, should be referred to the respective Cadre Controlling Authorities in the Central Government. Further, this Department's letter No.11020/20/77-AIS(III) dated 26th October, 1977, envisages, inter-alia, that application for grant of study leave abroad should be forwarded to the respective Cadre Controlling Authorities in the Central Government at least two months before the last date prescribed for the purpose and the member of the Service as well as the sponsoring Government should not presume the sanction of study leave.

2. However, a number of cases has come to the notice of this Department wherein the sponsoring Governments did not send the proposals in time, did not seek prior approval of the Central Government for grant of/extension of ex-India study leave/leave in continuation of ex-India study leave and sought ex-post facto approval of leave from the Central Government in a routine manner. This approach, while causing administrative problems, results in avoidable inconvenience to the members of the All India Services.

3. The following instructions, as contained in the Departments letter No.11020/20/77-AIS(III) dated 26th October, 1977, are reiterated for strict compliance by all the sponsoring authorities as well as members of the All India Services:

- (i) Applications seeking admission to grant of study leave for pursuing higher studies abroad should be forwarded to the respective Cadre Controlling Authorities at least 2 months before the commencement of study leave/leave for study purposes.
- (ii) Before forwarding applications for grant of study leave to the respective Cadre Controlling Authorities, the State Governments should satisfy themselves that the applicants fulfill the conditions of eligibility laid down in the AIS(Study Leave) Regulations, 1960.
- (iii) The requisite information/copies of the documents, as mentioned in the Check-list (Copy enclosed) should be invariably provided.
- (iv) Members of the Services concerned and the sponsoring Governments, Administrative Ministries/Departments should not presume the sanction of study leave.
- (v) Applicants should not make any preparations for journey etc. in anticipation of sanction of study leave to avoid frustration. They will do so only at their risk.

4. The same procedure should also be adopted for extension of ex-India study leave/other kind of leave in continuation of ex-India study leave.

5. The contents of this letter may be brought to the notice of all members of the All India Services.

Copy of the letter No.11020/03/2014-AIS-III dated 01/09/2014 addressed to the Chief Secretaries of all States/Union Territories

Subject: Execution of Bond for availing Study Leave under Rule 9(i) of the AIS (Study Leave) Regulations, 1960 - regarding.

I am directed to refer to the provisions of Rule 9(i) of the AIS (Study Leave) Regulations, 1960, which mandates every member of the Service who has been granted Study Leave or extension of such leave shall be required to execute a bond as given in **Appendix 'A' or Appendix 'A.I'**.

2. The said Bond executed by member of the Service requires putting in specified period of service after expiry of the Study Leave as prescribed by provisions of rule 9(2) of the said rules.

3. It has come to the notice of this Department that the provisions of the aforesaid bond are being circumvented and officers who have availed Study Leave proceed on prolonged spells of leave due and admissible to them and thus do not put in active service for the requisite period as indicated in the bond executed by them.

4. In view of the above, the provisions of the prescribed format of the Bond have been reviewed and decided to revise the Bond format. A copy of revised Bond is enclosed. All the Ministries/Departments/State Governments are requested to ensure that the necessary Bond in respect of grant of Study Leave under the AIS (Study Leave) Regulations, 1960 may henceforth be obtained in the revised formats.

5. The contents of this letter may be brought to the notice of all the members of the All India Services.