

Railway Services (Liberalised Leave) Rules, 1949 - Part 3B

Railway Services (Liberalised Leave) Rules, 1949 Part – 3B Grant and Return from Leave 517. Return to duty from leave: (1) A railway 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), railway 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) A railway servant who has taken leave on Medical Certificate may not return to duty until he has produced a Medical Certificate of fitness from the appropriate Medical Authority. (4) A railway 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. (5) Such railway 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. **518. Absence after the expiry of leave:** (1) Unless the Authority competent to grant leave extends the leave, a railway 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 leave on half average pay, 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 railway servant liable to disciplinary action. **519. Grant of leave on medical certificate - General rules:** (1) Medical Officers shall not recommend grant of leave in any case in which there appears to be no prospect that the railway servant concerned will ever be fit to resume his duties. In such cases the opinion that the railway servant is permanently unfit for railway service should be recorded in the Medical certificate. A railway servant in Group 'A' or Group 'B' should not be invalidated out of service on account of ill health except on the certificate of a Medical Board. (2) Every certificate of a Medical Officer recommending the grant of leave to a railway servant must contain a proviso that no recommendation contained in it shall be evidence or a claim to any leave not admissible to the railway servant under the terms of his contract or the rules to which he is subject. The certificate should be forwarded to the Authority competent to grant the leave and the orders of that Authority should be awaited. **520. Grant of leave on Medical certificate to Group 'A' and Group 'B' Officers:** (1) Before a railway servant in Group 'A' or Group 'B' is granted leave or an extension of leave, on Medical Certificate, he shall obtain a certificate in the following form: **MEDICAL CERTIFICATE FOR RAILWAY SERVANTS (GROUP 'A' & 'B') RECOMMENDED LEAVE OR EXTENSION OF LEAVE OR COMMUTATION OF LEAVE** Signature of the Railway servant: I, after careful personal examination of the case hereby certify that Shri/Shrimati/Kumari..... whose signature is given above, is suffering from and I consider that a period of absence from duty of with effect from is absolutely necessary for the restoration of his/her health. Date : Medical Superintendent / Divisional Medical Officer / Authorised Medical Attendant. **Notes:** (i) A certificate given by an Assistant Divisional Medical Officer will be acceptable only if countersigned by Divisional Medical Officer concerned. (ii) This form should be adhered to as closely as possible and should be filled in after the signature of the applicant has been taken. The certifying Officer is not at liberty to certify that the applicant requires a change from or to a particular locality, or that he is not fit to proceed to particular locality. Such certificate 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 fitness for service. (iii) No recommendation contained in these certificates shall be evidence of a claim to any leave not admissible to the railway servant under the terms of his contract or of the rules to which he is subject. (2) Where, however, the Authority competent to grant leave is not satisfied about the genuineness of a particular case, it will be open to such Authority to secure a second medical opinion by requesting a Government Medical Officer / Railway Medical Officer not below the rank of Civil Surgeon / Medical Superintendent or Staff Surgeon / Divisional Medical Officer to have the applicant medically examined on the earliest possible date. (3) It shall be the duty of the Divisional Medical Officer to express an opinion both as regards the facts of the illness and 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. (4) The grant of Medical Certificate under this rule does not in itself confer upon the railway 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. (5) The Authority competent to grant leave may at its discretion, waive the production of Medical Certificate in case of application for leave for a period of not exceeding 3 days at a time. Such leave shall not, however, be treated as Leave on Medical Certificate and shall be debited against leave other than on medical grounds.

About the Author