

APPENDIX V

(See Rule 556)

STUDY LEAVE RULES

1. Conditions for grant of study leave. —(1) Study leave may be granted to a railway 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 a technical subject having a direct and close connection with the sphere of his duty.

2. Study leave may also be granted—

(i) for a course of training or study tour in which a railway 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 railway servant ; and

(ii) for the purposes of studies connected with the framework or background of public administration subject to the conditions that—

(a) the particular study tour should be approved by the authority competent to grant leave;

(b) the railway servant should be required to submit on his return, a full report on the work done by him while on, study leave.

(iii) for the studies which may not be closely or directly connected with the work of a railway 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:--

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

(ii) it is for prosecution of studies 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 in India if the Head of the Medical Deptt. Certifies to the effect that such study shall be valuable in increasing the efficiency of such medical officer in the performance of his duties. For post-graduate study in medical sciences abroad, study leave shall be granted if the Director General of Railway Health Services in the Ministry of Railways certifies that such study shall be valuable in increasing the efficiency of such medical officer in the performance of his duties:

Provided also that a specialist or a technical person may be granted study leave, on merits of each case, for prosecuting a post graduate course of study directly related to the sphere of his duty in case the Head of the Department or the Railway Ministry certifies that the course of study shall enable

the specialist or the technical person, as the case may be, to keep abreast with modern development in the field of his duty, improve his technical standards and competence and thus substantially benefit the Railways .

- (iii) the Department of Economic Affairs of the Ministry of Finance agrees to the release of foreign exchange involved in the grant of study leave, if such leave is outside India:

Provided that in releasing foreign exchange to Railway servants proceeding on study leave abroad, the Department aforesaid shall satisfy itself whether such Railway servant comply with the minimum educational criteria as specified in the general orders issued by the said Department from time to time regulating release of foreign exchange to persons proceeding abroad for higher studies at their expense.

- (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.
- (5) Study leave may be granted to a Railway servant: ---
 - (i) Who has satisfactorily completed period of probation and has rendered no less than five years regular continuous service including the period of probation under the Government;
 - (ii) Who is not due to reach the age of superannuation from the Government service within three years from the date on which he is expected to return to duty after the expire of leave;
 - (iii) Who executes a bond as laid down in Rule 4(4) of Appendix V to Study leave Rules-RI undertaking to serve the Government for a period of three years after the expiry of the leave. Accordingly, Railway Servant having option to retire will not be permitted to retire unless he serves the Govt. for three years after return from the Study Leave;
- (6) Study leave shall not be granted to a Railway 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.
- (7) Study leave shall not be granted to a railway servant who is on deputation to other department or vice versa.

2 Maximum amount of study leave. —The maximum amount of study leave, which may be granted to a Railway 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).

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

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

(2) Where it is not possible for the Railway 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 received the approval of the authority competent to grant the study leave for the course.

4. Sanction of study leave.—(1) A report regarding the admissibility of the study leave shall be obtained from the Accounts Officer:

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

(2) Where a Railway servant borne permanently on the cadre of one Railway 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 Railway 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 leave.

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

(4) (a) Every Railway 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 A or Form B as the case may be, before the study leave or extension of such study leave granted to him commences.

(b) Every Railway 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 C or Form D 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 Accounts Officer a certificate to the effect that the Railway Servant referred to in clause (a) or clause (b) has executed the requisite bond.

(5) (a) On completion of the course of study the Railway servant shall submit to the authority which granted him the study leave, certificates of examinations passed a special course of study undertaken, indicating the date of commencement and termination of the course with the works if any, of the authority incharge 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.

5. Accounting of study leave and combination with leave of other kinds. —(1) Study leave shall not be debited against the leave account of the Railway servant.

(2) Study leave may be combined with other kinds of leave, but in no case shall be 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 and P.G. Degree in medicine.

(Authority: Railway Board's letter No.F(E)III/89/LE I/5 dt. 23-06-98)

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

(Authority: Railway Board's letter No.F(E)III/89/LE I/5 dt. 31.07.98)

(3) A Railway 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 the other conditions laid down in rule (8) being satisfied drawn study allowance in respect thereof:

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

6. Regulation of study leave extending beyond course to study.—When the course of study falls short of study leave granted to a Railway 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 the period of shortfall as ordinary leave.

7. Leave salary during study leave. —(1) During study leave availed outside India a Railway servant shall draw leave salary equal to the pay (without allowances other than dearness allowance) that the Railway servant drew while on duty immediately before proceeding on such leave, in addition to the study allowance admissible in accordance with the provisions of rules 8 to 10 .

(2) (a) During study leaves availed in India, a Railway servant shall draw leave salary equal to the pay (without allowances other than dearness allowances) that the Railway servant drew while on duty 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 Railway 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 Railway servant during the period of study leave as scholarship or stipend or remuneration in respect of any part time employment as envisaged in sub-rule (2) of rule 8, 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.

8. Conditions for grant of study allowance.—(1) A study allowance shall be granted to a Railway Servant who has been granted study leave for studies outside India for the period spent in prosecuting a definite course of study of at a recognized 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 Railway 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 Railway 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 Railway 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 authorize 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 condition that—
- (a) the Railway 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.

9. Rates of study allowance.—(1) The rates of study allowance shall be as follows:

Name of Country	Study Allowance per dem:
Australia	£ 1.00 Sterling
Continent of Europe	£ 1.65 Sterling
New Zealand	£ 1.20 Sterling
United Kingdom	£ 2.00 Sterling
United States of America	£ 2.75 Sterling

- (2) The rates of study allowance prescribed in sub-rule (1) may be revised by the Central Government from time to time

(3) The rates of study allowance to be granted to Railway servant who takes study leave in any country other than the one specified in sub-rule (1) shall be such as may be specially determined by the President in each case.

(10). Procedure for payment of study allowance.—(1) Payment of study allowance shall be subject to the furnishing of a certificate by the Railway servant to the effect that he is not in receipt of any scholarship, 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 Railway servant that he would refund to the Government any over-payment 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 recognized 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 Railway 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 Railway Servant is undergoing study in an educational institution or at intervals 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 Railway servant shall submit to the authority competent to grant leave direct or through the Head of the Mission a diary showing how his time 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 condition obtaining in India.

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

11. Admissibility of allowance in addition to study allowance.—No allowance of any kind other than the dearness allowance and study allowance where admissible shall be admissible to a Railway servant in respect of the period of study leave granted to him.

12. Travelling allowance during study leave.—A Railway servant to whom study leave has been granted shall not ordinarily be paid traveling allowance but the President may in exceptional circumstances sanction the payment of such allowance.

13. Cost of fees for study.—A Railway 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 President may sanction grant of such fees. Provided that in no case shall the cost of fees be paid to a Railway 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.

14. Resignation or retirement after study leave. —(1) If a Railway 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—

- (i) the actual amount of leave salary, study allowance, cost of fees, traveling and other expenses, if any, incurred by the Railways; and
- (ii) 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, from his resignation is accepted or permission, to retire is granted or his quitting service otherwise:

Provided that nothing in this rule shall apply:-

- (a) to a Railway servant who, after return to duty from study leave, is permitted to retire from service on medical grounds; or
- (b) to a Railway 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 Railway 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 Railway 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.

(4) Notwithstanding anything contained in this rule, the President 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 Railway servant concerned or class of Government servants.

Note: --The amounts referred in sub-rule (1) of the aforesaid Rule (14) shall also be refundable by a Railway Servant who fails to complete the course of study and is thus unable to furnish the certificate as required in sub-rule (5) of Rule 4.
