

## **CHAPTER 10: LEAVE**

### **10.1. Policy**

Leave shall be granted to:

- 10.1.1. A civil servant to be away from duty for genuine reasons without having to leave the job permanently;
- 10.1.2. Facilitate periodic rejuvenation; and
- 10.1.3. Facilitate work/life harmony.

### **10.2. General Rule**

- 10.2.1. This Chapter shall be applicable to only regular civil servants.
- 10.2.2. A civil servant shall not claim leave as a matter of right except for maternity leave, paternity leave, bereavement leave and emergency situation which could not have been anticipated. Agency may determine their own internal leave policies to limit disruption in service delivery.
- 10.2.3. A civil servant, even on leave, shall be considered on duty at any time in a day and can be called on duty by the appropriate authority at any time of a day according to exigencies of service.
- 10.2.4. Except in the case of sudden illness or unforeseen circumstances, no civil servant shall remain absent from duty or leave station without prior permission from the immediate superior.
- 10.2.5. A controlling officer shall plan the leave for his subordinates in consultation with them. The approval of the competent authority shall be obtained well in advance.
- 10.2.6. Submission of application for leave by a civil servant does not imply that the leave is approved till a written order is passed to that effect by the competent authority.
- 10.2.7. Leave shall not be approved beyond the date of superannuation.

- 10.2.8. If a civil servant fails to return to duty on expiry of the leave, the Agency shall discontinue payment of salary until appropriate disciplinary action is taken.
- 10.2.9. Joining time on transfer may be suffixed to any form of leave.
- 10.2.10. All Leaves shall be appropriately recorded and accounted in the formats given in the service book.
- 10.2.11. Any form of leave up to three months at a time, except EOL shall be counted as a part of active service for promotion. However, Maternity leave of six months shall be counted as a part of active service for promotion.
- 10.2.12. A civil servant, during probation, shall be eligible only for casual leave, medical leave, medical escort leave, bereavement leave, paternity leave and maternity leave and shall not earn any other form of leave.
- 10.2.13. Leave shall be availed as per format provided at *schedule 10(b)*.

### **10.3. Category of Leave**

A civil servant shall be entitled to the following categories of leave:

- 1. Casual Leave;
- 2. Earned Leave;
- 3. Bereavement Leave;
- 4. Maternity Leave;
- 5. Paternity Leave;
- 6. Medical Leave;
- 7. Medical Escort Leave
- 8. Study Leave;
- 9. Extraordinary Leave; and
- 10. Preparatory leave (transfer/long term training/one month prior to superannuation).

10.3.1. Casual Leave

- 10.3.1.1 A civil servant shall be granted casual leave for a short period on account of illness, or urgent personal affairs and he shall be considered on duty for all purposes.
- 10.3.1.2 Casual leave shall be admissible for a maximum of 10 working days during a financial year.
- 10.3.1.3 For civil servants who work half day on Saturdays their casual leave availed on Saturday shall be treated as half- a - day casual leave.
- 10.3.1.4 Casual leave can be granted even for half-a-day.
- 10.3.1.5 Allowed to be availed by a civil servant while on tour with the approval of the competent authority, but Daily Allowance shall not be admissible for the days of Casual Leave.
- 10.3.1.6 Allowed to be availed by a fresh appointee joining service in the course of a financial year, proportionately calculated on a monthly basis.
- 10.3.1.7 Casual Leave account shall be maintained in respect of every civil servant.
- 10.3.1.8 Unused casual leave shall be carried forward and credited to the earned leave at the end of the financial year. A civil servant on probation period shall be permitted to credit the unused casual leave.
- 10.3.1.9 Unused casual leave shall be carried forward and accumulated by a civil servant in teaching profession. It shall be accumulated only to a maximum of 90 days and accordingly be eligible for encashment as per rule.
- 10.3.1.10 A civil servant shall seek the approval of his immediate supervisor to avail casual leave.

10.3.2. Earned Leave

- 10.3.1.1 A civil servant shall earn leave with gross pay at the rate of 2.5 (two and half) days for every completed

month of service, except during the probation period.

- 10.3.1.2 Earned leave shall be accumulated only to a maximum period of 90 days.
- 10.3.1.3 Government holidays and weekly off days (Saturdays and Sundays) within the period of the earned leave sanctioned to a civil servant shall not be counted in the calculation of earned leave availed. This privilege shall also be extended to those civil servants for whom Saturdays are otherwise working days.
- 10.3.1.4 A civil servant shall not accrue earned leave during the period of training exceeding one month.
- 10.3.1.5 A member of the teaching profession entitled to annual vacation shall not be entitled to earned leave.
- 10.3.1.6 In an academic year, a civil servant in the Teaching Profession except for those recruited on contract, shall be entitled to:
  - a. Full paid annual vacation for rendering a minimum of seven months service calculated on basic pay;
  - b. One month paid vacation for rendering less than seven months but three months or more service;
  - c. No paid vacation for rendering less than three months service.
- 10.3.1.7 Earned leave shall be granted by the head of the Agency of the minimum rank of a head of Department/ Dzongkhag/Regional office/Institutes except for aforementioned individuals for whom it shall be granted by the controlling officer. The powers to grant earned leave may be delegated to authorities under them if required.

10.3.3. Bereavement Leave

In the event of death of a family member, parents, siblings and spouse's parents, bereavement leave of 21 days, including weekends and holidays, shall be provided to a civil servant for each incidents.

Bereavement Leave shall be granted by the immediate supervisor of the applicant.

10.3.4. Maternity Leave

10.3.4.1 Maternity Leave of six months shall be admissible to a civil servant and be uniform for all births including twins, caesarean and premature births.

10.3.4.2 Maternity leave shall be admissible during miscarriage for a maximum period of one month on the production of a medical certificate.

10.3.4.3 In case of demise of child during birth or within three months from birth, the mother shall be eligible for three months of maternity leave including 21 days of bereavement leave, whichever is more. However, in case of demise of child after three months from birth, the mother shall be eligible only for 21 days of bereavement leave and shall resume her office after completion of the bereavement leave.

10.3.4.4 The maternity leave shall commence from the date of delivery of child.

10.3.4.5 Maternity Leave may be combined with any other form of leave.

10.3.4.6 Government holidays and weekly off days (Saturdays and Sundays) within the period of the maternity leave sanctioned to a civil servant

shall be counted in the calculation of maternity leave.

- 10.3.4.7 To facilitate baby feeding, a mother with baby/ies up to 24 months may be allowed to extend lunch time from 12 noon to 2 pm. In case of those providing direct services such as teaching and medical professions, the management shall ensure that services are not affected as a result of such arrangement.
- 10.3.4.8 Agency shall facilitate and make appropriate arrangement for a feeding mother, where normal working time is not followed.
- 10.3.4.9 Maternity leave as per Section 10.3.4.1 shall be granted for a legally adopted newborn baby until the baby is six months old.
- 10.3.4.10 Maternity leave shall be counted as part of active service for all HR actions including for the purpose of calculating earned leave, LTC, promotion, training and retirement benefits.
- 10.3.4.11 A civil servant availing the maternity leave shall be eligible for Basic pay, Difficulty Allowance, High Altitude Allowance and House Rent Allowance from the date the maternity leave commences.  
  
However, for teachers, the allowance attached to professional practice while on maternity leave shall be as per the Section 11.11.1.1 of this rule.

- 10.3.4.12 Civil servants who become parents during the period of study leave or EOL shall not be eligible for maternity leave. However, on rejoining service, they will be eligible for the balance leave if their child has not attained 6 months.
- 10.3.4.13 A civil servant, during probation, shall be eligible for maternity leave and the above relevant provisions.
- 10.3.4.14 New appointees who are within the maternity period shall be eligible for the balance maternity leave starting from the date of delivery.
- 10.3.4.15 Maternity Leave shall be granted by the respective controlling officer on production of medical certificate, each time.
- 10.3.5. Paternity Leave
  - 10.3.5.1 A civil servant shall be granted paid Paternity Leave of 10 working days uniformly for all births and shall commence from the date of delivery of child.
  - 10.3.5.2 The Paternity Leave shall be granted as per Section 10.3.5.1 for a legally adopted new born baby.
  - 10.3.5.3 In case of demise of mother during delivery or within six months from birth of the child, the father shall be eligible for six months or the remaining months of the maternity leave as extra-ordinary paternity leave until the child is six months old.
  - 10.3.5.4 Civil servants who become parents during the period of their study leave or EOL shall not be eligible for paternity leave.

10.3.5.5 Paternity leave shall be granted by the immediate controlling officer of the applicant.

10.3.6. Medical Leave

10.3.6.1 A civil servant, who has been certified as incapable of performing duties due to illness or injury shall be granted Medical Leave on production of a medical certificate issued by a medical authority in Bhutan as detailed below for the commensurate duration:

- a. Up to one month - A Medical Doctor; and
- b. Up to six months and beyond - Medical Board of Doctors appointed by the Ministry of Health.

10.3.6.2 A civil servant shall be granted medical leave upto a maximum period of 36 months in total, after which he shall be retired under ERS with post-service benefits.

Medical leave availed for 30 days or more at a time will be counted as part of 36 months and shall be accordingly recorded in the service book.

10.3.6.3 A civil servant on medical leave shall be entitled to gross pay. However, if the Medical Leave exceeds one month, allowances attached to professional practice if any, shall cease to be paid for the subsequent period as per Section 11.11.1.3.

10.3.6.4 A civil servant, who has been granted Medical Leave for more than three months, on re-joining the duties, may be required to produce a medical certificate of fitness, to perform the duties, as decided by the Agency.

10.3.6.5 Medical leave exceeding one month shall be approved by the HR Committee and for one month and less shall be approved by Head of the Division/Department.

10.3.7. Medical Escort Leave

10.3.7.1 A civil servant shall be granted the Medical escort Leave for a maximum period of one month to escort direct dependent of the civil servant



concerned. HR Committee of the Agency may grant an extension based on medical report.

10.3.7.2 A civil servant on medical escort leave shall be entitled to gross pay. However, if the Medical Escort Leave exceeds one month, allowances attached to professional practice if any, shall cease to be paid for the subsequent period.

10.3.7.3 Medical Escort Leave shall be sanctioned only by the HR Committee of the Agency.

#### 10.3.8. Study Leave

10.3.8.1 Study Leave shall be granted to a civil servant to enable him to pursue RCSC approved long-term training. The study leave shall be for the actual duration of the long term training and journey period.

10.3.8.2 A civil servant shall avail a maximum of three in-service LTT (if required) in the entire service period or until he attains 45 years of age, whichever is earlier;

10.3.8.3 A civil servant shall be entitled study leave with pay for the approved course duration.

10.3.8.4 A civil servant who has been granted study leave for any single long-term training shall be entitled to the basic pay for the first twelve months. When the duration exceeds twelve months, he shall be entitled to 50% of the basic pay for the remaining period.

10.3.8.5 Notwithstanding Section 10.3.8.3 a civil servant who has been granted study leave for any single long-term training shall be entitled to the full basic pay for the whole duration of the course when the course is held in a SAARC country.

- 10.3.8.6 A civil servant who has been granted study leave shall not be admissible to allowances attached to professional practices as per the section .....
- 10.3.8.7 The period of study leave shall be considered as part of active service for the purpose of retirement benefits.
- 10.3.8.8 The period of study leave shall be considered as active service for the purpose of promotion as follows;
- a) Study leave up to 18 months for any single long term training. However, for civil servant in *Schedule 13 (a)* the entire duration of the course shall be considered as active service for promotion provided the course duration is more than 2 years; and
  - b) Notwithstanding the above Section....., for bachelor's degree program study leave shall not be considered as active service for the purpose of promotion.
- 10.3.8.9 Civil servants availing study leave to pursue mixed-mode long-term training shall be considered as part of active service for all purposes provided the time spent at the Institute is not more than 18 months.
- 10.3.8.10 For Continuing Education, study leave shall apply as follows. However, they shall not be eligible for DSA/Stipend:
- a) Term examination preparation – one week
  - b) Trial examination preparation – one week
  - c) Final examination preparation – two weeks
  - d) Actual Examinations – As per schedule
- 10.3.8.11 Service protection shall be ensured for civil servants on study leave. However, position shall not be protected while pursuing Bachelor degree.
- 10.3.8.12 The RCSC shall be the competent authority for granting long-term study leave based on

recommendation of the HR Committee of Agencies.

10.3.9. Extraordinary Leave (EOL)

10.3.9.1 EOL shall be granted to a civil servant up to a maximum period of 24 months including weekends and government holidays in total during the entire service period.

10.3.9.2 Government holidays may be prefixed and/or suffixed to EOL, but Government holidays intervening the period of leave shall be considered as leave.

10.3.9.3 Eligibility for EOL :

- a) A civil servant shall not be eligible for EOL during the probation period;
- b) A civil servant shall be eligible for EOL for more than three months, only after rendering a minimum of four years of service excluding probation period;
- c) EOL shall be granted to a civil servant only after fulfilling all conditions of service laid down under Chapter 15 on Secondment, Section 15.6.2 and 15.6.3 and Chapter 9 on LTT, Section 9.7.7 of this rule; and
- d) A civil servant shall be eligible for EOL if he is not serving an administrative penalty.

10.3.9.4 Total period of EOL availed during the entire service shall be excluded while calculating the number of completed years of service rendered by a civil servant as on last day of his service for the purpose of gratuity claims.

10.3.9.5 EOL shall not be counted as active service for the purpose of all HR actions, such as promotion, training etc.

10.3.9.6 Remuneration and other benefits of the post held shall not be granted to a civil servant for the days of EOL.

- 10.3.9.7 Promotion processed prior to availing EOL, if granted, shall be effected only on rejoining the service.
- 10.3.9.8 A civil servant occupying Government accommodation shall vacate it when the civil servant is granted EOL for a period exceeding one year at a time.
- 10.3.9.9 The Agency in charge of housing shall be informed of the EOL sanctioned to a civil servant by the Agency concerned immediately upon approval.
- 10.3.9.10 A civil servant applying for EOL shall furnish specific reasons in the application along with a completed and signed Undertaking (*Annexure 10/1*), stating the reasons mentioned in the applications are true.
- 10.3.9.11 A civil servant availing EOL shall be liable for major administrative action if he is found to breach the Undertaking.
- 10.3.9.12 A civil servant may be granted the EOL for the following purposes:
- a) Professional Enhancement. getting diverse experience and exposure;
  - b) Family/personal problems, when the attention of the official concerned is genuinely required; and
  - c) Career break/Sabbatical.
- 10.3.9.13 A civil servant shall not avail EoL for full time employment and/or consultancy that conflict with their civil service roles and responsibilities or to be employed by RGOB works and project.
- 10.3.9.14 The position of a Civil Servant shall not be protected while availing EOL beyond six months

and Section ..... of this rule will be applicable if displaced on return from EOL.

10.3.9.15 A civil servant failing to join the service after completion of the EOL shall be compulsorily retired.

10.3.9.16 Authority to grant EOL

The authority to grant EOL to a civil servant shall be:

- a) EX/ES (1-3) – RCSC;
- b) EX/ES 2-3) - Constitutional Offices (HR Committee); and
- c) P1-O4 - Agencies (HR Committee).

10.3.10. **Preparatory Leave**

10.3.10.1 A civil servant can avail preparatory leave in order to prepare for studies and transfer.

10.3.10.2 The number of days admissible as preparatory leave shall be:

- i. A civil servant transferred from one duty station to another shall be for 5 working days of preparatory leave provided the new duty station is at least 10 kilometers away from the previous station involving change of residence. The actual time required for travel shall be allowed in addition to preparatory leave.

A civil servant joining a new post on transfer without availing the full preparatory leave shall be entitled to credit the number of days of un-availed leave to the earned leave account subject to the maximum limit of 90 days of earned leave.

- ii. A civil servant who has been approved Study Leave by RCSC shall be granted 5 days as preparatory leave before the course start date and 21 days to report after the course end date as specified in Letter of Award (LoA). Government holidays and weekends (Saturdays and Sundays) within the period of

the Preparatory leave for study leave shall be counted in the calculation of Preparatory leave.

- iii. A civil servant due for superannuation will be freed up of his/her duties one month before their superannuation date to ensure smooth transition to retirement. The period will be used by the individual to;
  - a) Complete handing –taking over responsibilities;
  - b) Complete necessary formalities to process retirement benefits; and
  - c) Prepare for their retirement.

10.3.10.3 Authority to grant Preparatory leave shall be:

- i. EX/ES (1-3) - RCSC
- ii. EX/ES (2-3) - Constitutional Offices
- iii. P1-O4 - Agencies

#### **10.4. Encashment of Leave**

10.4.1 A civil servant who has at least 30 days earned leave at credit shall be permitted to encash 30 days of earned leave, subject to the following conditions:

- 10.4.1.1 The amount payable on encashment of 30 days earned leave shall be equal to the civil servants one month's basic pay as on the date of encashment;
- 10.4.1.2 The 30 days earned leave encashed shall be debited from earned leave account on the date of such encashment.
- 10.4.1.3 Only one encashment of earned leave is allowed during a financial year.
- 10.4.1.4 Notwithstanding Section ....., a civil servant leaving the service for any reason shall be permitted to encash the earned leave at credit but shall not exceed 90 days.
- 10.4.1.5 Similarly, a civil servant in the teaching profession leaving the service for any reason shall be paid full salary for the entitled vacation period subject to Section.....
- 10.4.1.6 If a civil servant in teaching profession on annual vacation is required to attend official duties he

shall be paid basic pay on pro rata basis and TA/DA for the number of vacation days on duty in addition to normal salary. However, this shall not be applicable for travel outside Bhutan.

10.4.1.7 A civil servant shall be entitled to leave encashment during the study leave provided he has adequate leave balance prior to his departure.

10.4.1.8 A civil servant in teaching profession shall be entitled to encash the accumulated casual leave (unused casual and preparatory leave) of at least 30 days as per the conditions specified above.

10.4.1.9 Leave encashment shall be granted by the head of the Agency/Department/Dzongkhag. The powers to grant leave encashment may be delegated to authorities under them through written order if required.

#### **10.5. Leave Travel Concession (LTC)**

10.5.1 An amount equal to one month basic pay as LTC shall be paid to a civil servant once in a financial year with the maximum ceiling as approved by the Government.

10.5.2 A civil servant shall be eligible for the LTC during the LTT.

10.5.3 A civil servant shall not be eligible for the LTC during the probation period/EOL. If a civil servant completes the probation period/EOL in the course of a financial year, he shall be entitled to the LTC only in the following financial year.

10.5.4 LTC shall be granted by the head of the Agency / Department / Dzongkhag. The powers to grant LTC may be delegated to authorities under them through written orders if required.

#### **10.6. Revocation of Leave**

A competent authority shall have discretionary power to revoke leave based on exigencies of the circumstances.

#### **10.7. Unauthorized Absence**

10.7.1 Unauthorized absence shall not be regularized through grant of leave, even if leave is available at credit.

10.7.2 However, should the HR Committee of the Agency be convinced that the civil servant has remained absent due to unavoidable circumstances and deserves regularization, leave

may be granted as per the entitlement of the individual civil servant.

**10.8. Accountability**

Leave availed in contravention to this Rule shall be considered illegal and the civil servant concerned shall be liable for administrative actions.



**SCHEDULE 10 (a)**

**UNDERTAKING**

I, ..... a regular civil servant bearing EID No....., serving as ..... in....., hereby accept to avail EOL for a period of ..... months with effect from ..... and I hereby undertake to:

1. Use the EOL only for reasons mentioned in my application;
2. Not engage in any other activity, including full time employment and/or consultancy that conflict with their civil service roles and responsibilities.
3. Abide by all relevant provisions of the CSAB 2010, BCSR 2017, and other relevant laws and rules of the country; and
4. Accept any disciplinary action if I fail to abide by this undertaking.

I hereby do confirm that I have been briefed on all rules governing my EOL and I have understood them, including the implications and consequences of violating them.

In particular, I understand that if I fail to abide by any one of the above stated conditions, I shall be liable for legal action by the Government.

Sd/-

|                 |                            |
|-----------------|----------------------------|
| <b>Place:</b>   | <b>(Affix Legal Stamp)</b> |
| <b>Date:</b>    | <b>Name:</b>               |
| <b>Witness</b>  |                            |
| <b>Name:</b>    | <b>Present Address:</b>    |
| <b>CID No.:</b> | <b>Permanent Address:</b>  |

**Caution:** This is an important legal document and therefore, should be executed after clearly understanding all the responsibilities, liabilities and implications.

**SCHEDULE 10 (b)**

**ROYAL CIVIL SERVICE COMMISSION  
LEAVE REQUEST AND APPROVAL FORM**

Date: .....

To : .....

From : .....

Kindly grant me leave as follows:

| Sl. No | Type of Leave        | Select to avail (✓) | Duration   |          |       | Remarks                   |
|--------|----------------------|---------------------|------------|----------|-------|---------------------------|
|        |                      |                     | Start Date | End Date | Total |                           |
| 1      | Earned Leave         |                     |            |          |       |                           |
| 2      | Casual Leave         |                     |            |          |       |                           |
| 3      | Maternity Leave      |                     |            |          |       | Attach evidence           |
| 4      | Paternity Leave      |                     |            |          |       | Attach evidence           |
| 5      | Extraordinary Leave  |                     |            |          |       | Execute Legal Undertaking |
| 6      | Bereavement Leave    |                     |            |          |       | Attach evidence           |
| 7      | Medical Leave        |                     |            |          |       | Attach evidence           |
| 8      | Medical Escort Leave |                     |            |          |       | Attach evidence           |

\* Submit reasons:

.....  
.....

Signature of Applicants

\_\_\_\_\_  
\* Until today, the ..... (date) of..... (month), ..... (year), the applicant has.....days of earned leave, and..... days of casual leave remaining.

Signature  
HR Officer

Approved ☐

Not Approved ☐

Signature of Supervisor/Manager

\_\_\_\_\_  
Approved by: HR Committee meeting No..... dated..... for (i) medical leave beyond one month, (ii) medical escort leave and (ii) EOL.

Signature of HR Officer