



**Government of Jammu and Kashmir**  
**Finance Department**  
**Civil secretariat, Srinagar**  
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**Notification**  
**Srinagar, the 30<sup>th</sup> May, 2013**

**SRO 274** .\_\_ In exercise of the powers conferred by proviso to section 124 of the Constitution of Jammu and Kashmir, the Governor directs that the Jammu & Kashmir Civil Service Regulations, 1956 and the Jammu & Kashmir Civil Service (Leave) Rules, 1979, shall be amended as under:-

**I) In the J&K Civil Service Regulations Volume-I.**\_\_ "the proviso to Article 44-A, shall be deleted."

**II) In the J&K Civil Service (Leave) Rules 1979.**\_\_

**1. Rule 67 shall be recast as under:**

**"Rule-67;** (1) During study leave availed outside India, a Government servant shall draw leave salary equal to the pay (without Allowances other than Dearness Allowance) that the Government servant drew while on duty with the Government immediately before proceeding on such leave in addition to the Study Allowance admissible under the provisions of rules 68 to 73.

(2) (a) During study leave availed in India, a Government servant shall draw leave salary equal to the pay (without Allowances other than Dearness Allowance) that the Government servant drew while on duty with the Government 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 Government servant to the effect that he/she is not in receipt of any scholarship, stipend or remuneration in respect of any part-time employment.

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(c) The amount, if any, received by a Government 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 67 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.

(e) All the Departments shall ensure that only the genuine and deserving cases avail of the benefit under these rules and shall accordingly lay down further guidelines specific to their departments."

**2. After rule 67, following shall be added as rule 68,69,70,71 and 72:-**

**"Rule-68;** (1) A Study Allowance shall be granted to a Government servant who has been granted study leave for studies outside India for the period spent in prosecuting a definite course of study at a recognised 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 Government servant has been permitted to receive and retain, in addition to his leave salary any scholarship or stipend that may be awarded to him/her 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 Government servant from the value of the scholarship or stipend or remuneration) exceeds the amount of Study Allowances 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.

*Supra*

(3) Study Allowance shall not be granted for any period during which a Government servant interrupts his/her course of study to suit his/her own convenience;

Provided that the authority competent to grant leave or the Head of the Mission may authorise 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 conditions that:-

(a) the Government 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/she produces satisfactory evidence before the Head of the Mission or the authority competent to grant leave as the case may be, that he/she continued his/her studies during the vacation;

Provided that in respect of vacation falling at the end of courses 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 36 months in all.

**Rule-69;** The rates of Study Allowance shall be the same as are allowed by the Government of India to its employees from time to time in the respective countries.

**Rule-70;** (1) Payment of Study Allowance shall be subject to the furnishing of a certificate by the Government servant to the effect that he/she 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 Government servant that he/she would refund to the Government any over-payment consequent on his failure to produce the required certificate of attendance or on his/her 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 recognised 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 the Head of the Mission in other cases on claims submitted by the Government 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 Government servant is undergoing study in an Educational Institution, or at intervals not exceeding three months if he/she 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 Government servant shall submit to the authority competent to grant leave direct or through the Head of the Mission a diary showing how his/her time has been spent and a report indicating fully the nature of the methods and operations which have been studied and including suggestions as to possibility of adopting such methods of operations to conditions obtaining in India.

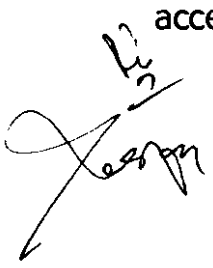
(b) The authority competent to grant leave shall decide whether the diary and report show that the time of the Government servant was properly utilized and shall determine accordingly for what periods Study Allowance may be granted.

**Rule-71;** No allowance of any kind other than the Dearness Allowance and Study Allowance (where admissible) shall be admissible to a Government servant in respect of the period of study leave granted to him/her.

**Rule-72;** (1) If a Government 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/she shall refund:-

(i) the actual amount of leave salary, Study Allowance and other expenses, if any incurred by the Government ; 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 the interest thereon at rates for the time being in force on Government loans from the date of demand, before his/her resignation is accepted or permission to retire is granted or his/her quitting service otherwise:



Provided that nothing contained in this rule shall apply:-

(a) to a Government servant who after return to duty from study leave is permitted to retire from service on medical grounds ; or

(b) to a Government 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 Government servant shall be converted into regular leave standing at his/her 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 be treated as extraordinary leave.

(b) In addition to the amount to be refunded by the Government servant under sub-rule (1) he/she shall be required to refund any excess of leave salary actually drawn over the leave salary admissible on conversion of the study leave.

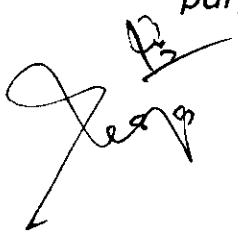
(3) Notwithstanding anything contained in this rule, the Government servant may, if it is necessary or expedient to do so either in public interest or having regard to the peculiar circumstances of the case or class of cases by order, waive or reduce the amount required to be refunded under sub-rule (1) by the Government servant concerned or class of Government servants."

**3. Rule-73 shall be recast as under.\_\_\_\_**

**"Rule-73; Authority Competent to sanction study leave shall be as under:-**

**(1)The concerned Administrative Department shall be competent to sanction the study leave under these rules within the State.**

**(2) The General Administration Department on the recommendations of the Administrative Department concerned and with the consent of the Finance Department may grant study leave under these rules for purpose of study out side the State within India.**

A handwritten signature in black ink, appearing to be 'J. Singh', with the initials 'A.B.' written above it. The signature is written in a cursive style.

(3) cases for study leave outside India will be sanctioned by the Government on the recommendations of the committee prescribed for the purpose and with the concurrence of the Finance Department."

By order of the Governor.

Sd/-  
Principal Secretary to Government,  
Finance Department.

No. A/49(83)-III-493

Dated:- 30 - 05-2013

Copy to:-

1. Advocate General, J&K
2. Principal Resident Commissioner, 5-Prithvi Raj Road New, Delhi.
3. All Financial Commissioners.
4. All Principal Secretaries to Government.
5. Principal Secretary to Hon'ble Chief Minister.
6. Chief Electoral Officer, J&K Srinagar/Jammu.
7. All Commissioner / Secretaries to Government.
8. Secretary to HE the Governor.
9. Divisional Commissioner Kashmir/ Jammu.
10. Accountant General, J&K Srinagar/ Jammu.
11. Commissioner of Vigilance, J&K Srinagar.
12. Secretary to Chief Justice J&K High Courts Srinagar /Jammu.
13. Registrar General, J&K High Court Srinagar/ Jammu.
14. Director General, Accounts and Treasuries.
15. Director General, Funds Organization J&K.
16. Director SKIMS & Ex-Officio Secretary to Govt.
17. Director , Budget.
18. Director Local Fund Audit & Pension J&K
19. Director, Audit and Inspections.
20. All Head of Departments / Managing Directors/ Chief Executive of State PSU's / Autonomous Bodies.
21. Secretary J&K Public Service Commission.
22. All District Development Commissioners.
23. Director Accounts & Treasuries Srinagar/ Jammu.
24. Director Information J&K Srinagar / Jammu.
25. Joint Director Funds Organization Srinagar/ jammu.
26. FA&CAO, Flood Control Organization Srinagar / Jammu.
27. Secretary, J&K Legislative Assembly/ Legislative Council.
28. Principal Accountancy Training School Srinagar.
29. Principal Northern Zonal Accountancy Training Institute Jammu.
30. All Financial Advisors & CAO's.
31. All Treasury Officers.

32. General Manager, Government Press, Srinagar / Jammu for publication in Government Gazette.
33. Private Secretary to Hon'ble Ministers/ Hon'ble Ministers of State for information of the Hon'ble Ministers.
34. Principal Private Secretary to Chief Secretary.
35. All Officers / Section Officers of Finance Department.
36. President Non-Gazetted Employees Union, Civil Secretariat, Srinagar/ Jammu.
37. Finance Department's website([www.jakfinance.nic.in](http://www.jakfinance.nic.in))
38. GAD website ([www.jkgad.nic.in](http://www.jkgad.nic.in))

 30.5.13

**(A.M.M. Jehangir)**  
**Director Codes**  
**Finance Department**

