

No. 12/1/2020-SCS/17202

October 19, 2020

**OFFICE MEMORANDUM**

**Subject: Clarification regarding regularization of absence during COVID-19 epidemic lockdown period- regarding.**

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The Department of Personnel and Training (DoPT), New Delhi vide their OM No. 14029/5/2019-Estt.(L)(Pt.2) dated 28.07.2020 have issued clarifications regarding regularization of absence during COVID-19 epidemic lockdown period, a copy of the same is enclosed for information and for further necessary action for regulating absence of employees concerned in respect of DAE and its Units/PSUs/Aided Institutions.

2. The Department has also received various queries from Units/PSUs/Aided Institutions related to regularization of absence during COVID-19 epidemic lockdown period other than the queries already clarified by DoPT OM dated 28.07.2020 referred to above. These queries have been examined in the Department and clarifications thereon are furnished in the **Annexure** for taking necessary action. However, the clarifications furnished in the **Annexure** are subject to further instructions/orders to be issued by DoPT, if any, in this regard.

3. This issues with the approval of Competent Authority.

Encl: 06 (six) pages.

  
(S S Deokar)  
Under Secretary (SCS)  
022-22022225  
Email : [uspower@dae.gov.in](mailto:uspower@dae.gov.in)

**All Heads of Constitute Units/PSUs/Aided Institutions of DAE**

Copy also to:-

1. All Administrative Heads of Units/PSUs/Aided Institutions of DAE.
2. Under Secretary (Adm.), DAE- For necessary action in respect of DAE Secretariat.
3. Head, CISD- For uploading the above communication in DAE website under SCS corner.
4. All Officers and Sections in DAE Secretariat- through DARPAN
5. Secretary, Staff Side, DAE Departmental Council

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**F.No.14029/5/2019-Estt.(L)(Pt.2)**  
**Government of India**  
**Ministry of Personnel, Public Grievances and Pensions**  
**Department of Personnel & Training**  
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Old JNU Campus, New Delhi 110 067  
Dated: 28.07.2020

**OFFICE MEMORANDUM**

**Subject: Clarification on regularization of absence during COVID-19 epidemic lockdown period - regarding.**  
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This Department has been receiving several references/queries from Central Government employees who proceeded on leave, with station leave permission, but could not report for duty due to non-availability of public transport / flights and restrictions on inter/intra state movement of persons as per Ministry of Home Affairs' Orders from time to time, to contain the spread of COVID-19 pandemic in the country. The matter has been considered and the following clarifications relating to regularization of period of absence during the period of lockdown are issued in the matter :-

| Sl. No. | Situation   | Clarification  |
|---------|---|--|
| 1.      | Government Servants who were on official tour and were unable to return to their Headquarters (HQs) due to non-availability of Public Transport.                                    | Deemed to have joined duty on the date of expiry of official tour, if intimation in any form, indicating difficulty in joining duty due to non-availability of public transport/flights, has been given by the Government servant to the office.   |
| 2.      | Government servants who were on leave prior to issue of lockdown orders with effect from 25.03.2020 and the leave ended during lockdown period.                                     | Deemed to have joined duty from the date of expiry of leave, if intimation in any form, indicating difficulty in joining duty due to non-availability of public transport/flights has been given by the Government servant to the office. In case of leave on medical grounds, this is subject to production of medical/fitness certificate. |
| 3.      | Government servants who left HQ on the week-end prior to lockdown, i.e. 20.03.2020 (Friday), but could not return to HQ on 23.03.2020(Monday) due to non-availability of transport. | Deemed to have joined on 23.03.2020, if intimation, in any form indicating difficulty in joining duty due to non-availability of public transport/flights has been given by the Government servant to the office.  |

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|----|--|--|
| 4. | Government servants who were on leave prior to issue of orders on lockdown with effect from 25.03.2020 and the leave expired during the lock down period, but who wish to curtail the leave before expiry and join duty. | Curtailement of sanctioned leave may not be agreed to, unless allowed by the leave sanctioning authority only in rare cases based on official exigency. From the date following the date of expiry of leave during the period of lockdown, the employee may be deemed to have joined duty. |
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2. All the Ministries/Departments and their attached/subordinate offices are directed to regulate the period of absence strictly as per above clarifications and unnecessary references to DoPT on the subject may be avoided.

*Satyajit Mishra*

(Satyajit Mishra)

Joint Secretary to the Government of India

To:

1. All the Ministries / Departments of Government of India.
2. NIC Cell, DoPT, with a request for uploading on the website of this Department.

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**Annexure to DAE OM No.12/1/2020-SCS/17202 dated 19/10/2020**

| Sr. No. | Issue raised/Clarification sought   | Clarification   |
|---------|---|---|
| 1.      | How to regulate the absence of those Employees who have been absent during the COVID-19 epidemic lockdown period and wish to join duties by regulating their absence by applying for leave. | The period of absence may be regularised by grant of leave due and admissible to the employee/officer by the leave sanctioning authority, as per extant CCS(Leave) Rules, provided the reasons for absence are found to be genuine and satisfactory. If not, then appropriate administrative action to be initiated against the employee.   |
| 2.      | Employees quarantined due to return of his/her family members from abroad or from other areas of the country during lockdown period as per the State/Medical protocol.                      | The period of quarantine may be regularised by grant of leave due and admissible to the employee/officer by the leave sanctioning authority. However, this will be subject to further instructions/orders issued by DoPT, if any.   |
| 3.      | Employees quarantined after return from Tour/Leave as per the State/Medical protocol.   | Deemed to have joined duty on return from Tour/Expiry of Leave Period. The period of quarantine is to be treated as on Duty/Work From Home (WFH) provided the employee has actually joined office after the mandatory quarantine period. However, in case the employee was unable to join duty due to non-availability of public transport then the same is to be regulated as per clarification at Sr.No. 1 or 2 of DoPT OM No.14029/5/2019-Estt.(L)(Pt.2) dated 28.07.2020, as the case may be. |
| 4.      | Employees found COVID-19 positive. How to regulate the treatment period.  | In case if an employee is found to be COVID-19 positive then, he/she shall apply for Medical Leave or any other leave as due and admissible on production of Medical/Fitness Certificate from the treating Doctor/Hospital. If such employee could not join duty after being found fit due to non-availability of public transport then the same is to be regulated as per clarification at Sr.No.2 of DoPT OM No.14029/5/2019-Estt.(L)(Pt.2) dated 28.07.2020.                                   |
| 5.      | The employees were not allowed to leave the premises due to building/residential society was sealed/isolated due to containment zone.   | Such employees who could not attend office due to isolation/sealing of their Building/ Residential Society on being declared as containment zone may be treated as WFH subject to production of Notice/Order from concerned MCGM/District Authorities/Local Authorities to the above effect.  |
| 6.      | Residential society/village not allowed the employees to leave the premises to attend duties.   | Employee shall apply for leave due and admissible for regulating such absence. No supporting documents required in such cases.  |
| 7.      | Employees proceeded to home town or other places due to leave ended during the lockdown period, but could not return to headquarter due to stoppage of train/buses/flights.                 | To be regulated as per clarification at Sr.No. 3 of DoPT OM No.14029/5/2019-Estt.(L)(Pt.2) dated 28.07.2020.  |
| 8.      | Employees proceeded to home town or   | To be regulated as per clarification at Sr.No.3 of  |

| Sr. No. | Issue raised/Clarification sought   | Clarification   |
|---------|---|---|
| 8.      | Employees proceeded to home town or other places due to LTC and LTC ended during the lockdown period, but could not return to headquarter due to stoppage of train/buses/flights. | To be regulated as per clarification at Sr.No.3 of DoPT OM No.14029/5/2019-Estt.(L)(Pt.2) dated 28.07.2020.   |
| 9.      | Employees on official tour and unable to return to headquarter due to stoppage of train/buses/flights.  | To be regulated as per clarification at Sr.No.1 of DoPT OM No.14029/5/2019-Estt.(L)(Pt.2)dated 28.07.2020.  |
| 10.     | Employees left headquarter on weekend/shift-off but could not return to duty due to lockdown or stoppage of train/buses/flights.  | To be regulated as per clarification at Sr.No. 3 of DoPT OM No.14029/5/2019-Estt.(L)(Pt.2) dated 28.07.2020.  |
| 11.     | Employees were on leave prior to issue of orders on lockdown and leave was expiring during the lockdown period but he/she wishes to curtail leave before expiry and join duty.    | To be regulated as per clarification at Sr.No.4 of DoPT OM No.14029/5/2019-Estt.(L)(Pt.2)dated 28.07.2020.  |
| 12.     | Employees proceeded to his/her hometown or other places without taking headquarter leaving permission during lockdown and could not return to headquarter.                        | In such cases, employee may apply for leave due and admissible as per CCS(Leave) Rules for the entire period of absence. In case the reasons for leaving headquarters are not found to be genuine and satisfactory the employee may be proceeded against as per rules.                              |
| 13.     | Employees who did not attend duties as per approved duty roster on particular day/days but were available at headquarter.   | To be treated as refusal of duty. The period of absence may be treated as unauthorized absence and appropriate administrative action is to be initiated against such employee/s.  |
| 14.     | Employees could not revise his/her leave within stipulated time due to lockdown, and now request for revision beyond one month.   | To be permitted only in case the employee has given any intimation such as email etc to the leave sanctioning authority. If no intimation was received from the employee within one month during the lockdown period then such request is to be denied.   |
| 15.     | Cases where new employees/employees required to apply leave but do not have sufficient leave balance.   | To be regulated as per extant provisions under CCS(Leave) Rules.  |
| 16.     | Treatment of lockdown period as qualifying service for terminal benefits.   | The period of lockdown is governed by the orders issued by MHA and DoPT from time to time. As such, if an employee was designated to WFH then he/she should be treated as on duty (subject to certification from Reporting/Reviewing Officer) for all purposes and his service treated accordingly. |
| 17.     | Employees relieved on transfer from one Unit but could not able to join the transferred Unit due to lockdown-regulation of joining time.  | Clarification being sought from DoPT.   |



| Sr. No. | Issue raised/Clarification sought   | Clarification   |
|---------|---|---|
| 18.     | Employees who have applied for leave prior to lockdown and remained in Head Quarters during lockdown.   | To be treated as on leave for the entire period applied. As such, deemed to have joined duty from the date following the date of expiry of leave. In case the employee has expressed his/her desire to curtail leave and join duty then the same to be regulated as per Sr. No. 4 of DoPT OM No.14029/5/2019-Estt.(L)(Pt.2) dated 28.07.2020. |
| 19.     | Employees who have applied for leave prior to lockdown and left HQ with permission and remained outside the HQ during lockdown and could not come to HQ due to dislocation of transportation.   | Deemed to have joined duty on expiry of leave if intimation in any form indicating difficulty in joining duty due to non-availability of public transport/flights was given by the employee to the office.  |
| 20.     | Employees who have left HQ prior to lockdown without permission.  | To be regulated as per clarification at Sr No. 12 herein above.   |
| 21.     | Employees who have gone on tour prior to lockdown period and got held up outside HQ due to dislocation of transportation.   | To be regulated as per clarification at Sr.No.1 of DoPT OM No.14029/5/2019-Estt.(L)(Pt.2)dated 28.07.2020.  |
| 22.     | Employees who were advised to be under-quarantine due to their visit to Covid-19 infected areas or they having visitors from Covid-19 infected areas (The employees have to be quarantined on the guidelines issued by the State Government.) | To be regulated as per clarification at Sr No. 2 herein above. However, this will be subject to further instructions/orders to be issued by DoPT if any.  |
| 23.     | The employees who left the headquarters during lockdown with or without permission.   | Employees who have left headquarters with prior permission may be asked to apply for leave due and admissible for the period of their absence from headquarters. For employees who have left headquarters without prior permission their cases may be dealt as per clarification at Sr No. 12 herein above.                                   |
| 24.     | Employees were called for duty as per the roster (33% or 50%) but did not attend office on some days as per roster.   | To be regulated as per clarification at Sr No. 13 herein above.   |
| 25.     | Employees on official tour on returning to Headquarters have been quarantined for the period as advised by Medical Officer and have joined duty after completion of quarantine period.  | To be regulated as per clarification at Sr No. 3 herein above.  |
| 26.     | Some employees were quarantined as they travelled to other Dist/States or proceeded on leave to other Dist/State. (Own interest travel; not public interest).   | To be regulated as per clarification at Sr No. 3 herein above subject to prior permission/sanction of leave from the leave sanctioning authority.   |
| 27.     | An employee applied for Compensatory Off for the period from 13.03.2020 to 17.03.2020 and went to native place and could not join duty and retired on superannuation w.e.f. 30.04.2020.   | Employee to apply for leave due and admissible for the period from 18.03.2020 to 29.04.2020 to regularize his absence from duty. Action to be taken as indicated as clarification for Sr. No. 12. The employees is deemed to have superannuated on 30.04.2020 in terms of Rule 35 of CCS (Pension) Rules, 1972.                               |

| r. No. | Issue raised/Clarification sought   | Clarification  |
|--------|---|--|
| 28.    | Employee applied for leave from 08.03.2020 to 21.03.2020 for personal work at his home town. He/She has not joined duty so far.   | For period from 08.03.2020 to 21.03.2020 to be regulated as per clarification at SI.No.3 of OM No.14029/5/2019-Estt.(L)(Pt.2) dated 28.07.2020. Period beyond 21.03.2020 to be treated as unauthorized absence and dealt with accordingly. |
| 29.    | Consequent upon transfer to other Unit an employee was relieved w.e.f. 20.05.2020(AN). He reported for duty on 22.05.2020(FN) and was referred to CHSS Dispensary. The employee was advised to be quarantined for a period of 15 days and joined his duty w.e.f. 05.06.2020. How to treat the period of quarantine. | To be regulated as per clarification at Sr No. 3 herein above.   |
| 30.    | Employees could not join duty as their residences have been declared as red zone/containment area by the District/local authorities. Public transport was also not available.   | To be regulated as per clarification at Sr No. 5 herein above.   |
| 31.    | Employees could not join duty as they claim that their residences have been declared as red zone/containment area but have not produced any supporting documents. Whether supporting documents have to be asked to be produced by the employee?   | To be regulated as per clarification at Sr No. 5 herein above.   |
| 32.    | The State Government/Local Authorities issued orders for office to work with 100% attendance during May- 2020. However, some employees joined duty in first week of June 2020 as their areas were under containment/red zone.   | To be regulated as per clarification at Sr No. 5 herein above.   |
| 33.    | An employee applied for leave prior to lockdown and left HQ and remained outside the HQ during lockdown and could not come to HQ due to dislocation of transportation.  | It is presumed that, the leave period of the employee is extended into the lockdown period. If so, his absence to be regulated as per clarification at Sr.No.2 of DoPT OM 14029/5/2019-Estt.(L)(Pt.2) dated 28.07.2020.                    |
| 34.    | Employees are requested to attend office as per Roster prepared. However, the employees have not attended on the day of duty assigned to them the office without permission.  | To be regulated as per clarification at Sr No. 13 herein above.  |
| 35.    | How to regulate absence of those employees who had left Mumbai, while coming back to Mumbai need to be home quarantined for a minimum period of 14 days.  | To be regulated as per clarification at Sr No. 3 herein above.   |