

DISTRICT COURT, MALKANGIRI

INDUCTION TRAINING STUDY MATERIAL — 2026

LEAVE RULES & ODISHA SERVICE CODE

(Rules 130-211)

ORISSA CIVIL SERVICES (CC&A) RULES, 1962

(Classification, Control & Appeal)

ORISSA GOVT. SERVANTS CONDUCT RULES, 1959

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PART I — LEAVE RULES | ODISHA SERVICE CODE (Rules 130–197)

1. Nature and Basic Principles of Leave [Rules 130–133]

Rule 130	What is Leave?
	Leave means permitted absence from duty . Leave may be granted by the State Government.
	Leave is not a right — it can be refused, curtailed or revoked by the sanctioning authority.
	The authority competent to grant leave is also competent to revoke leave already granted and call back the Government servant to duty.
Rule 131	Basic Principles
	(a) No Government servant is entitled to claim leave as a right; grant or refusal is wholly discretionary.
	(b) A Government servant on leave may not take any employment (including private practice) without the prior sanction of the appointing authority.
	(c) Leave cannot be claimed retrospectively ; unauthorized absence is treated as dies non (without pay).
	(d) Leave shall not be granted beyond the date on which a Government servant must retire.
	(e) Leave granted shall be recorded in the Service Book.
Rule 139	Combination of Leave
	Any kind of leave under the rules may be combined with any other kind of leave except Casual Leave .
	Government servants in vacation departments may NOT combine vacation with leave either at the beginning or end.
	Return from leave before expiry: not permitted earlier than 14 days before expiry without authority's permission.

2. Earned Leave (EL) [Rules 134–143]

Rule 134	Accrual of Earned Leave
	EL is credited to the leave account at the rate of 15 days for every completed half-year of service (1st January and 1st July).
	Maximum accumulation: 300 days (w.e.f. 01.07.2002).
	A Government servant appointed on or after 01.01.2076: EL credited at 2½ days per completed month of service in that half-year.
	Half-year of retirement: no credit for the half-year in which the Government servant retires.
Rules 136–141	Grant and Encashment
	EL may be granted for a maximum of 180 days at any one time on medical grounds; ordinarily 120 days for other purposes.

Leave Encashment: Government servants are entitled to encash up to **300 days** of EL at the time of superannuation/voluntary retirement.

EL on average pay; Leave salary = last pay drawn immediately before proceeding on leave.

Earned Leave **cannot be refused** except in exigencies of service — in which case it may be refused in writing.

3. Half Pay Leave (HPL) and Commuted Leave [Rules 144–150]

Rule 144/147 Half Pay Leave

HPL is credited at the rate of **20 days for each completed year of service**.

HPL can be granted on **medical certificate or for private affairs**.

Leave salary during HPL: **half the pay last drawn** before proceeding on leave.

HPL can be **converted into full pay leave** by availing it as Commuted Leave.

Rule 148 Commuted Leave

When Commuted Leave is granted, **twice the amount of such leave is debited against HPL**.

Maximum: Commuted Leave shall not exceed **180 days during entire service**; during any single spell, not more than **90 days**.

Sanctioning authority must be satisfied that there is a **reasonable prospect of the Government servant returning to duty** on its expiry.

Full pay is drawn during Commuted Leave.

4. Leave Not Due and Extraordinary Leave [Rules 151–153]

Rule 151 Leave Not Due

Granted to a permanent Government servant when no HPL is at credit, **against leave to be earned in future**.

Maximum: **360 days during entire service**.

Only on **medical certificate**.

If the Government servant fails to return to duty and retires/is removed, the leave salary drawn shall be **recovered**.

Rule 153 Extraordinary Leave (EOL)

EOL is leave **without pay** granted in special circumstances when no other leave is admissible.

When other leave is admissible but the employee applies in writing for EOL, it may be granted.

Not debited to leave account.

Counts for **increment purposes only if granted on Medical Certificate** or in public interest.

5. Maternity, Paternity & Child Care Leave [Rules 154–162]

Rules 154–158	Maternity Leave
	Maternity leave of 180 days (full pay) is admissible to women Government servants.
	Available for first two living children only.
	In case of abortion / miscarriage : maternity leave not exceeding 6 weeks .
	Maternity leave may be combined with other leaves including EL.
	Application should be supported by authorized medical practitioner certificate.
Rule 159	Paternity Leave
	Male Government servants with less than two living children are entitled to 15 days of Paternity Leave.
	To be availed within 6 months of birth of the child.
	Leave salary: equal to pay last drawn .
Rule 160	Child Care Leave (CCL)
	Women Government servants are entitled to 2 years (730 days) of CCL during their entire service.
	For taking care of minor children below 18 years (for the two eldest surviving children).
	CCL may be granted for reasons like illness, examination, etc.
	Leave salary: equal to pay last drawn.
	CCL cannot be combined with regular leave.

6. Hospital Leave, Quarantine Leave & Special Disability Leave [Rules 172–180]

Rule 195	Hospital Leave
	Allowed to Group-C and Group-D employees involved in handling dangerous machinery, explosive materials, poisonous drugs or hazardous tasks.
	Granted only if injury is incurred in course of official duties .
	Granted on production of medical certificate from an authorised medical attendant.
	May be combined with other leave; total period shall not exceed 28 months .
Rules 173–174	Quarantine Leave
	Leave of absence from duty necessitated by orders not to attend office due to infectious disease in family/household .
	Allowed on certificate of Medical or Public Health Officer for a period not exceeding 21 days (or 30 days in exceptional cases).
	Government servant on quarantine leave is NOT treated as absent from duty ; pay is not intermitted.
	Cholera, smallpox, plague, diphtheria, typhus fever etc. are considered infectious diseases for this purpose.

7. Casual Leave (CL) and Special Casual Leave (Spl. CL) [Rules 181–197]

CL Rules	Casual Leave — Key Rules
	A Government servant on Casual Leave is NOT treated as absent from duty ; pay is not intermitted.
	CL cannot be claimed as a matter of right .
	CL and Special CL shall NOT be allowed for more than 10 days at a time .
	May be combined with Sundays and public holidays.
	Specific reason must be mentioned — general grounds like "urgent affairs" or "certain ceremony" are not acceptable.
	No Government servant shall be allowed CL at short intervals .
	Quantum: 15 days of CL per calendar year for regular Government servants.
	Special CL : granted for blood donation, family planning operations, national events, sports, etc.
	If public service suffers due to CL: both the person granting it and the person taking it shall be held responsible.

NOTE: CL is not debited to leave account. It is not shown in the Service Book. It cannot be combined with any other leave.

8. Joining Time [Rules 198–211]

Rules 198–211	Joining Time — Key Provisions
	Joining time means the time allowed to a Government servant to join a new post or proceed to/return from training.
	Minimum: 1 day (within the same station). Maximum: 30 days (inclusive of Sundays).
	Joining time is regarded as duty ; pay and allowances drawn = last pay before making over charge.
	May be combined with vacation or leave of any kind except Casual Leave .
	Rule 202: Joining time shall be computed on the route which travellers ordinarily use.
	Rule 210: Failure to join within joining time = wilful absence from duty and misconduct. Pay/leave salary withheld after end of joining time.
	Extension of joining time: to be sought from the competent authority before expiry; not a matter of right.
	DA and compensatory allowances as per rules are also admissible during joining time.

9. All Types of Leave — Quick Reference Table

Type of Leave	Maximum Period / Credit	Key Conditions
Earned Leave (EL)	15 days/half-year; Max 300 days; Max 180 days at a time (medical) / 120 days (other)	On average pay; encashable up to 300 days at retirement
Half Pay Leave (HPL)	20 days/year; no maximum accumulation	On half pay; on medical certificate or private affairs

Commuted Leave	Half of HPL converted to full pay; max 180 days (service), 90 days (single spell)	Must show prospect of return to duty; 2× HPL debited
Leave Not Due	Max 360 days (total service); only on medical grounds	Against future HPL; only for permanent servants; leave salary recoverable if not returned
Extraordinary Leave (EOL)	No fixed limit; subject to approval	Without pay; when no other leave admissible
Maternity Leave	180 days (full pay); first 2 children	Abortion/miscarriage: max 6 weeks; combinable with other leave
Paternity Leave	15 days; within 6 months of child birth	Less than 2 living children; full pay
Child Care Leave (CCL)	2 years (730 days) total service; 2 eldest children below 18	Full pay; cannot be combined with regular leave
Hospital Leave	Max 28 months (combined with other leave)	Group-C/D only; injury in official duty; medical certificate required
Quarantine Leave	Max 21 days (exceptional: 30 days)	Infectious disease in household; NOT treated as absence; pay not intermitted
Casual Leave (CL)	15 days per year; max 10 days at a time	Not debited to leave account; not combinable with regular leave; not a right
Special Casual Leave	As prescribed for specific purposes	Blood donation, family planning, sports, elections, etc.
Study Leave	Max 24 months (total service)	For higher studies in public interest; bond required; not combinable with leave on average pay

PART II — ORISSA CIVIL SERVICES (CC&A;) RULES, 1962

1. Definitions and Application [Rules 1–11]

Rule 2(a)	Appointing Authority
	The authority empowered to make appointments to the service or grade in which the Government servant is for the time being included.
	The appointing authority is the primary authority for disciplinary action , suspension and appeals.
Rule 7	Classification of Civil Posts
	(i) State Civil Services, Group-A
	(ii) State Civil Services, Group-B
	(iii) State Civil Posts, Group-C
	(iv) State Civil Posts, Group-D
	Classification determines which penalties can be imposed and the appellate authority.

2. Suspension [Rule 12]

Rule 12(1)	When Suspension May be Ordered
	A Government servant may be placed under suspension by the appointing authority or any authority to which it is subordinate:
	(a) Where a disciplinary proceeding against him is contemplated or is pending ; or
	(b) Where a case in respect of any criminal offence is under investigation or trial .
Rule 12(2)	Deemed Suspension
	A Government servant detained in custody whether on a criminal charge or otherwise for a period exceeding 48 hours shall be deemed to have been suspended with effect from the date of detention.
	Such deemed suspension continues until further orders.
Rule 12 — Subsistence Allowance	Pay During Suspension
	During suspension, a Government servant is entitled to subsistence allowance (not full pay).
	Initially: 50% of basic pay .
	After 3 months — if delay in proceedings is NOT due to government servant: enhanced to 75% .
	After 3 months — if delay in proceedings IS due to government servant: reduced to 25% .
	Deductions from subsistence allowance: Income Tax, HRA, Loan repayments, Professional Tax.
	NOT to be deducted from subsistence allowance: GPF subscription, Court attachment, Co-operative dues (without consent).

3. Nature of Penalties [Rule 13]

#	Penalty	Nature	Authority
(i)	Fine	Minor	Appointing Authority
(i)	Censure	Minor	Appointing Authority
(i ii)	Withholding of Increment (without cumulative effect)	Minor	Appointing Authority
(i ii - A)	Withholding of Promotion	Minor	Appointing Authority
(i v)	Recovery from pay for pecuniary loss to Government	Minor	Appointing Authority
(v)	Suspension (as penalty)	Minor	Appointing Authority
(vi)	Reduction to lower service/grade/post/time scale	Major	Appointing Authority / Gov.
(vi - A)	Withholding of Increment (with cumulative effect)	Major	Appointing Authority
(vi i)	Compulsory Retirement	Major	Appointing Authority / Gov.
(vi ii)	Removal from service (no disqualification for re-employment)	Major	Governor / Appointing Authority
(i x)	Dismissal from service (disqualification for re-employment)	Major	Governor only

NOTE: Penalties (vi) to (ix) are MAJOR penalties. They cannot be imposed without following the full procedure under Rule 15 (charge sheet, defence, inquiry, etc.). Minor penalties under (i) to (v) follow the simpler Rule 14 procedure.

4. Procedure for Imposing Minor Penalties [Rule 14]**Rule 14 Minor Penalty Procedure**

Step 1: Disciplinary authority shall intimate the Government servant the action proposed and the alleged facts (in writing).

Step 2: Government servant shall be given a reasonable opportunity to make a **representation** against the proposed penalty.

Step 3: The representation (if any) shall be considered before passing the order.

Step 4: Order of minor penalty shall be issued by the competent authority.

No Inquiry Officer is required for minor penalties — only a show cause notice and opportunity to represent.

5. Procedure for Imposing Major Penalties [Rule 15]

Rule 15(1) Charge Sheet (Articles of Charge)

No order imposing a major penalty shall be passed except after:

(a) The Government servant has been **informed in writing of the charges (Articles of Charge)** against him; and

(b) He has been given a **reasonable opportunity of making defence against them**.

The charge sheet shall be accompanied by: (i) a statement of articles of charge; (ii) a statement of imputations of misconduct supporting each article; (iii) a list of documents; (iv) a list of witnesses by whom the charges are to be supported.

Rule 15(2) Written Statement of Defence

The charged officer shall be required to submit his written statement of defence within a **specified time not less than 10 days and not more than 30 days**.

He shall be permitted to inspect documents and take extracts — refusal only on two grounds: (i) not relevant, or (ii) against public interest.

If he wishes to be heard in person, an opportunity shall be given to him.

Rule 15(4) Appointment of Inquiry Officer (IO)

On receipt of the written statement of defence (or if none received within time):

Disciplinary authority may itself inquire into unadmitted charges, OR

Appoint an Inquiry Officer (IO) to inquire into the charges.

A **Presenting Officer (PO)** may also be appointed to present the case on behalf of the department.

The IO must be a Government servant of equal or higher rank to the charged officer.

Rule 15(5)(c) Inquiry Procedure

The IO shall: (a) serve a notice to the charged officer specifying the time and place of inquiry; (b) read out and explain the charges to the charged officer; (c) record the plea of the charged officer to each charge.

Witnesses shall be examined by the IO; cross-examination by the charged officer/PO is permitted.

The IO shall record the proceedings in writing.

If the IO declines to examine a witness on relevancy/materiality grounds: reasons must be recorded in writing.

Rule 15(7) Inquiry Report

At the conclusion of inquiry, the IO shall prepare a report containing:

(1) Findings on each charge with reasons.

(2) If proceedings establish charges different from those framed: IO shall record findings on such charges if the Government servant admitted the facts and had opportunity to defend.

(3) IO may **recommend punishment** to be inflicted when charges are established.

A copy of the inquiry report shall be **furnished to the charged officer** who may submit a representation within 15 days.

6. Departmental Proceeding — Step-by-Step Flow

Step	Stage	Action
Step 1	CONTEMPLATION	Decision to initiate DP; place under suspension if necessary under Rule 12; issue suspension order with subsistence allowance
Step 2	CHARGE SHEET (Rule 15(1))	Prepare Articles of Charge, Statement of Imputations, list of documents and witnesses; serve charge sheet on charged officer
Step 3	WRITTEN STATEMENT (Rule 15(2))	Charged officer submits written statement of defence within 10–30 days; may inspect documents and take extracts
Step 4	IO & PO APPOINTMENT (Rule 15(4))	Appoint Inquiry Officer (IO) and Presenting Officer (PO); issue appointment orders formally
Step 5	INQUIRY (Rule 15(5))	IO conducts inquiry: reads charges, records plea, examines prosecution witnesses (PW), allows cross-examination, examines defence witnesses (DW)
Step 6	IO REPORT (Rule 15(7))	IO prepares inquiry report with findings on each charge and reasons; forwards to disciplinary authority
Step 7	SUPPLY OF REPORT	Copy of inquiry report furnished to charged officer; charged officer may submit representation within 15 days
Step 8	SHOW CAUSE NOTICE (2nd)	If disciplinary authority proposes to impose a major penalty, it issues 2nd show cause notice stating proposed penalty; charged officer submits reply
Step 9	OPSC CONSULTATION	For imposition of major penalties (vii)–(ix) on Group-C/D: consultation with Odisha Public Service Commission (OPSC) required
Step 10	PENALTY ORDER	Disciplinary authority considers all material and passes final penalty order; communicate order to charged officer with copy to DDO for pay/service book effect
Appeal	APPEAL (Rule 22)	Charged officer may prefer appeal to appellate authority within prescribed time (generally 45 days from date of communication of order)

Review	REVIEW / REVISION (Rules 29–31)	Governor may on his own or otherwise review any order; may enhance, reduce or set aside the penalty
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◆ **Key Rule:** The charged officer must be given a COPY of the Inquiry Report before any show cause notice for penalty is issued. Failure to do so vitiates the entire disciplinary proceeding.

PART III — ORISSA GOVT. SERVANTS CONDUCT RULES, 1959

These rules have been framed in exercise of powers conferred by the proviso to **Article 309 of the Constitution** to regulate the conduct of Government servants in Odisha. They apply to all persons in connection with the affairs of the State, except members of the All India Services (who have separate conduct rules).

1. General Obligations of Every Government Servant

Rules 3–5	What a Govt. Servant MUST do
	◆ Maintain absolute integrity and devotion to duty at all times.
	◆ Do nothing which is unbecoming of a Government servant.
	◆ Manage private affairs so as to avoid habitual indebtedness or insolvency [Rule 20].
	◆ Abide by any law relating to intoxicating drinks or drugs in force in any area [Rule 24-A].
	◆ Furnish complete declaration of immovable and movable property every year by 31st March.
	◆ Every Government servant shall, after marriage, furnish a declaration of non-dowry signed by both spouses and parents [Rule 14(III)].

2. What a Govt. Servant MUST NOT do [Rules 6–26]

Rule	Prohibition	Exception / Sanction Required
Rule 6	Take part in elections to Parliament/State Legislature/local bodies as a candidate	No exception — absolutely prohibited during service
Rule 7	Take part in political activities / canvassing	No exception
Rule 8	Express views on political matters through press or publications	No exception; official communications exempted
Rule 9	Demonstrate or participate in strikes, processions, or any activity prejudicial to national integration	No exception
Rule 10	Give evidence in any enquiry conducted by any person/committee/authority	No sanction needed for evidence before Court, judicial enquiry, or enquiry by State/Union Govt.
Rule 11	Communicate official documents/information to unauthorized persons	Allowed only in performance of duties assigned or under general/special order of Govt.
Rule 12	Ask for or accept contributions or raise funds for any object	Requires prior sanction of Govt.
Rule 13	Apply for any concession/loan from Govt. if he is likely to deal with such application in official capacity	No exception
Rule 14	Accept or permit family members to accept gifts	Close relatives exempt; gift by foreign dignitaries/Heads of State: may retain with prior sanction
Rule 14-A	Give, take, abet giving or taking of dowry	Absolutely prohibited

Rule 15	Enter into any pecuniary arrangement with another Govt. servant/person to gain unauthorized advantage	No exception
Rule 16	Speculate in stock, share, or other investments	Investment in shares on own behalf is not speculation; no day-trading
Rule 17	Purchase immovable property or enter into transaction > ₹2,000 with persons in official dealings without prior sanction	Transactions through regular/reputed dealers; prior sanction of Govt. required
Rule 19	Engage in any trade, business or private employment without prior sanction	Family members exempt; agricultural operations on own land exempt if personally supervised
Rule 22	Register, promote or manage any Bank or company without prior sanction	No exception
Rule 24	Enter into bigamous marriage or marry a person having a living spouse	No exception
Rule 24-A	Appear in public place in a state of intoxication	No exception

3. Acts Amounting to Misconduct

The following acts of a Government servant amount to misconduct and are liable to attract disciplinary action under OCS (CC&A;) Rules, 1962:

1.	Willful insubordination or disobedience (alone or in combination) to any lawful and reasonable order of a superior.
2.	Infidelity, unfaithfulness, dishonesty, theft and fraud, or dishonesty in connection with the employer's business or property.
3.	Strike, picketing, gherao, or inciting others to strike.
4.	Riotous or disorderly behaviour or conduct causing physical or mental harassment.
5.	Habitual absence without leave or absence without leave for more than 10 continuous days.
6.	Habitual late attendance.
7.	Habitual breach of any standing order or rules applicable to the establishment.
8.	Acceptance of gifts beyond the prescribed limit without sanction.
9.	Acceptance of dowry or demand for dowry.
10 .	Entering into bigamous marriage.
11 .	Appearing in public in a state of intoxication.
12 .	Unauthorized communication of official documents/information.
13 .	Suppression of facts or making of false statements in Service Book, returns, applications or representations.
14 .	Speculating in shares, securities or investments.

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. | Habitual indebtedness or insolvency — failure to manage private affairs prudently. |
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NOTE: Once the competent authority is satisfied that a breach of Conduct Rules was committed, it must proceed under the OCS (CC&A;) Rules, 1962 and conduct disciplinary proceedings before imposing any penalty. The Conduct Rules define what is wrong; the CC&A; Rules prescribe the procedure for dealing with it.

CARD A — LEAVE: COMMON ERRORS & CORRECT PRACTICE

Situation	Common Error	Correct Practice
Applying for Leave	Writing vague grounds like "urgent affairs"	Specific reason must be mentioned; "urgent personal work" alone is not acceptable
Casual Leave — Long Period	Taking CL for more than 10 days continuously	CL cannot exceed 10 days at a time; combine with Sundays/holidays but not regular leave
Leave Before/After Holiday	Proceeding on leave without sanction and combining with holiday informally	Leave order/sanction must be obtained BEFORE proceeding on leave in all cases
Maternity Leave > 2 Children	Claiming 180 days ML for third child	ML of 180 days is admissible for first two children only; further confinement: 30–60 days as per rules
Joining After Leave	Joining 2–3 days after leave expiry without extension	Joining must be on the day leave expires; overstay = unauthorized absence and misconduct
Leave on Medical Ground	Joining duty without medical fitness certificate	Medical fitness certificate is mandatory before joining after leave on medical ground [Rule 140]
Leave During Suspension	Applying for EL/CL during suspension	During suspension, no leave is admissible; subsistence allowance continues
EOL Without Sanction	Absenting beyond EL and expecting automatic regularization	Application for EOL must be made in advance; unauthorized absence leads to pay forfeiture and misconduct action
Joining Time + CL	Combining Joining Time with Casual Leave	Joining Time cannot be combined with CL [Rule 198]; can be combined with EL, HPL etc.

CARD B — DISCIPLINARY PROCEEDINGS: KEY TIMELINES

Stage	Time Limit / Standard	Authority
Written Statement of Defence (after charge sheet)	Not less than 10 days, not more than 30 days	Charged Officer
Inspection of Documents	Within time allowed for written statement	Charged Officer (with IO's permission)
IO to complete Inquiry	As far as possible within 6 months (HC Circular target)	Inquiry Officer
Supply of Inquiry Report to Charged Officer	Before issuing show cause notice for penalty	Disciplinary Authority
Representation on Inquiry Report	Within 15 days of receipt of IO report	Charged Officer
2nd Show Cause Notice reply	As specified in the notice (usually 15 days)	Charged Officer
OPSC Consultation (for dismissal/removal/compulsory retirement of Group-C/D)	Before final penalty order	Disciplinary Authority
Appeal (against penalty order)	Generally within 45 days of communication of order	Charged Officer
Appellate Authority disposes of Appeal	Within 3 months (target)	Appellate Authority
Review by Governor	No fixed time; may be at any time on his own or otherwise	Governor
Subsistence Allowance Revision	After 3 months of suspension — enhanced if no delay by charged officer	Disciplinary Authority

CARD C — CONDUCT RULES: DO's AND DON'Ts

DO's ✓	DON'Ts ✗
✓ Maintain absolute integrity and devotion to duty at all times.	✗ Never accept any gift from any litigant, advocate or person likely to have dealings with you in official capacity.
✓ Manage private affairs prudently to avoid habitual indebtedness.	✗ Never give or take dowry or demand dowry directly or indirectly — it is an absolute prohibition.
✓ Furnish complete annual property return (immovable and movable) by 31st March every year.	✗ Never communicate official documents or information to unauthorized persons.
✓ Furnish declaration of non-dowry after marriage — signed by both spouses and parents.	✗ Never take part in election campaigns or political activities of any kind.
✓ Report to superior authority if any person attempts to bribe you or offer any gratification.	✗ Never participate in strikes, demonstrations, processions or any activity prejudicial to Government.
✓ Seek prior sanction of competent authority before entering into any transaction relating to immovable property beyond ₹2,000.	✗ Never speculate in stocks, shares, or investments.
✓ Obtain prior sanction before taking up any private employment or business during service.	✗ Never enter into a bigamous marriage.
✓ Abide by all laws relating to intoxicating drinks and drugs in every area you visit.	✗ Never appear in any public place in a state of intoxication.
✓ Inform your Head of Office of any criminal proceeding initiated against you.	✗ Never raise funds or contributions in the name of the office or organization without sanction.
✓ Maintain loyalty and devotion to the duties assigned by your Presiding Officer.	✗ Never accept private employment or set up a private practice without prior sanction even when on leave.