

71. THE CENTRAL CIVIL SERVICES (LEAVE TRAVEL CONCESSION) RULES, 1988

No. 31-11/10/85 dated 3-5-1988.—In exercise of the powers conferred by the proviso to Article 309 and clause (5) of Article 48 of the Constitution and in consultation with the Comptroller and Auditor-General of India in regard to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules, namely:

1. **Short title, commencement and application.**—(1) These rules may be called the Central Civil Services (Leave Travel Concessions) Rules, 1988.

(2) Date of effect—They shall come into force on the date of their publication in the official Gazette.

(3) To whom applicable—Subject to the provisions of sub-rule (4), these rules shall apply to all persons—

- (i) who are appointed to civil services and posts including civilian Government Servants in the Defence Services in connection with the affairs of the Union;
- (ii) who are employed under a State Government and who are on deputation with the Central Government;
- (iii) who are appointed on contract basis;
- (iv) who are re-employed after their retirement.

(4) These rules shall not apply to—

- (a) Government servants not in whole-time employment;
- (b) persons in casual and daily-rated employment;
- (c) persons paid from contingencies;
- (d) Railway servants;
- (e) Members of the Armed Forces;
- (f) Local recruits in Indian Missions abroad, and
- (g) persons eligible to any other form of travel concession available during leave or otherwise.

2. **Special provisions regarding certain categories of employees.**—(1) In the case of persons belonging to categories mentioned in clauses (ii), (iii) and (iv) of sub-rule (3) of Rule 1, the leave travel concession shall be admissible on completion of one year's continuous service under the Central Government and provided that it is certified by the appropriate administrative authority that the employee concerned is likely to continue to serve under the Central Government for a period of at least two years in the case of leave Travel Concession to home town and at least four years in the case of leave travel concession to any place in India to be reckoned from the date of his joining the post under the Central Government.

(2) In the case of officers appointed on contract basis, where the initial contract is for one year but is later extended, the total duration of the contract will be taken into account for the purpose of leave travel concession.

(3) In the case of persons re-employed, immediately after retirement without any break, the period of re-employed service will be treated as continuous with the previous service for the purpose of leave travel concession and the concession allowed for the re-employed, period, provided that the leave travel concession would have been admissible to the re-employed officer, had he not retired but had continued as serving officer.

Illustration.—If an officer has availed of the concession to visit any place in India in respect of block of four years before his retirement and he is re-employed without any break, he cannot avail this concession till the expiry of the particular block of four years.

3. Scope.—The leave travel concession will cover the Government servant himself and his family.

4. Definition.—In these Rules, unless the context otherwise requires,—

- (a) "*a place in India*" will cover any place within the territory of India, whether it is on the mainland India or overseas;
- (b) "*controlling officer*" means an officer declared as such under supplementary Rule 191;
- (c) "*Disciplinary Authority*" shall have the same meaning as assigned in clause (g) of Rule 2 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965;
- (d) "*family*" means 'family' as defined in Supplementary Rule 2.(8).
- (e) "*home-town*" means the town, village or any other place declared as such by the Government servant and accepted by the controlling officer;
- (f) "*shortest direct route*" shall have the same meaning as given in Supplementary Rule 30 and orders issued thereunder from time to time.

5. Change of Home Town.—The home town, once declared and accepted by the controlling officer shall be treated as final. In exceptional circumstances, the Head of the Department or if the Government servant himself is the Head of the Department, the Administrative Ministry, may authorise a change in such declaration provided that such a change shall not be made more than once during the service of a Government servant.

6. Declaration of place of visit under Leave Travel Concession to any place in India.—When the concession to visit any place in India is proposed to be availed of by a Government servant or any member of the family of such Government servant, the intended place of visit shall be declared by the Government servant in advance to his controlling officer. The declared place of visit may be changed before the commencement of the journey with the approval of his controlling officer but it may not be changed after the commencement of the journey except in exceptional circumstances where it is

established that the request for change could not be made before the commencement of the journey owing to circumstances beyond the control of the Government servant. This relaxation may be made by the Administrative Ministry/Department or by the Head of Department, as the case may be.

7. Admissibility of Leave Travel Concession.—(1) The leave travel concession shall be admissible to persons of the categories specified in clauses (i) and (ii) of sub-rule (3) of Rule 1 only if they have completed one year's continuous service under the Central Government on the date of journey performed by him or his family, as the case may be, to avail of the concession.

(2) The leave travel concession shall be admissible during any period of leave, including casual leave and special casual leave.

8. Type of leave travel concession.—(a) The leave travel concession to home town shall be admissible irrespective of the distance between the headquarters of the Government Servant and his home town, once in a block of two calendar years, such as 1986-87, 1988-89 and so on;

(b) The leave travel concession to any place in India shall be admissible irrespective of the distance of the place of visit from the headquarters of the Government servant, once in a block of four calendar years, such as 1986-89, 1990-93 and so on :

Provided that in the case of a Government servant to whom leave travel concession to home town is admissible, the leave travel concession to any place in India availed of by him shall be in lieu of and adjusted against, the leave travel concession to home town available to him at the time of commencement of the journey.

(c) A Government servant whose family lives away from him at his home town may, in lieu of all concession under this scheme, including the leave travel concession to visit any place in India once in a block of four years which would otherwise be admissible to him and members of his family, choose to avail of leave travel concession for self only to visit the home town every year.

9. Counting of leave travel concession against particular blocks.— A Government servant and members of his family availing of leave travel concession may travel in different groups at different times during a block of two or four years, as the case may be, the concessions so availed of will be counted against the block of two years or four years within which the outward journey commenced, even if the return journey was performed after the expiry of the block of two years or four years. This will apply to availing of leave travel concession carried forward in terms of Rule 10.

10. Carry over of leave travel concession.—A Government servant who is unable to avail of the leave travel concession within a particular block of two years or four years may avail of the same within which the first year of the next block of two years or four years. If a Government servant is entitled to leave travel concession to home town, he can carry forward the leave travel concession to any place in India for a block of four years only if he has carried forward the leave travel concession to home town in respect of the second block of two years within the block of four years.

11. Place to be visited by Government servant and members of his family under leave travel concession to any place in India.—A Government servant and each member of his family may visit different places of their choice during a block of four years. It shall not be necessary for members of family of a Government servant to visit the same place as that visited by the Government servant himself at any time earlier during the same block.

12. Entitlement.—(1) Journey by rail—For travel by train under leave travel concession, entitlement to different classes of accommodation shall be as under:—

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| (i) Government servant in receipt of pay of Rs. 2,800 and above per mensem. | Second class air conditioned two tier sleeper/first class. |
| (ii) Government servant in receipt of pay of Rs. 1,400 and above but less than Rs. 2,800 per mensem. | first class/air condition chair car. |
| (iii) Government servant in receipt of pay of less than Rs. 1,400 per mensem. | IInd class sleeper. |

(2) Journey by road—(a) The Government's assistance towards the cost of journeys between places not connected by rail will be admissible to the Government servant as under:—

- (i) Where a public transport system with vehicles running between fixed points, at regular intervals and charging fixed rates exists, the assistance is the fare actually charged by such a system for the appropriate class of accommodation of the transport system.

Note.—Appropriate class means as follows:—

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| (a) Officers entitled to travel by I class on rail | By any type of bus including super deluxe, deluxe, express, etc., but excluding air-conditioned bus. |
| (b) Other officers | By ordinary bus only. The claims for travel in express by may also be admitted, if the journey is actually performed by such bus on account of non-availability of seats in ordinary bus. |
- (i) Where a public transport system as aforesaid does not exist, the assistance will be regulated as in case of journeys undertaken on transfer.
- (ii) Notwithstanding anything contained in sub-rule (1) or clauses (i) and (ii) of sub-rule (2), Where a Government servant travelling by road takes a seat or seats in a bus van or other vehicle operated Tourism Department Corporation in the Public Sector, State Transport Corporations and Transport Services run, by other Government of local bodies to visit any place in India,

the reimbursement shall be either the actual hire charges or the amount reimbursable on the journey to the declared place of visit had the journey been undertaken by entitled class by rail by the shortest direct route, whichever is less. Reimbursement shall not be admissible for journey by a private car (owned, borrowed or hired or a bus, van or other vehicle owned by private operators).

(3) By air—The Government servant may travel by air between places not connected by rail, where an alternative means of travel is either not available or is more expensive.

(4) In regard to places in territory of India connected by shipping services, the entitlement of a Government servant to travel by ship will be regulated as in case of journeys by ship undertaken on transfer.

(5) Travel between places not connected by any other means of transport—For travel between places not connected by any other means of Transport, a Government servant can avail of animal transport like pony, elephant, camel etc. In such cases, mileage allowance will be admissible at the same rate as for journeys on transfer.

Explanation—For the purpose for this rule 'pay' shall mean pay as defined in Fundamental Rule 9 (21) (a) (i).

13. Reimbursement.—Reimbursement under the leave travel concession scheme shall not cover incidental expenses and expenditure incurred on local journeys. Reimbursement for expenses of journey shall be allowed only on the basis of a point journey on a through ticket over the shortest direct route.

NOTE

Reimbursement.—Rule 13 of the Central Civil Services (Leave Travel Concession) Rule, defines reimbursement as "Reimbursement under the Leave Travel Concession Scheme shall not cover incidental expense and expenditure incurred on local journey. Reimbursement for expenses of journey shall be allowed only on the basis of a point-to-point journey on a through ticket over the shortest direct route". [*Sheo Shankar Tiwary v. State of Jharkhand*, AIROnline 2020 Jha 920].

14. Forfeiture of claim.—A claim for reimbursement of expenditure incurred on journey under leave travel concession shall be submitted within three months after the completion of the return journey, if no advance had drawn. Failure to do so will entail forfeiture of the claim and no relaxation shall be permissible in this regard.

15. Grant of advance and adjustment thereof.—(i) Advance may be granted to Government servants to enable them to avail themselves of the concession. The amount of such advance in each case shall be limited to four-fifths of the estimated amount which Government would have to reimburse in respect of the cost of the journey both ways.

(ii) If the family travels separately from the Government servant, the advance may also be drawn separately to extent admissible.

(iii) The advance may be drawn for the forward and return journeys at the time of commencement of the forward journey, provided the period of leave taken by the Government servant or the period of anticipated absence

of the members of the family does not exceed three months or ninety days. If this limit is exceeded, then the advance may be drawn for the outward journey only.

(iv) If the limit of 3 months or ninety days is exceeded after the advance had already been drawn for both the journeys, one half the advance should be refunded to the Government forthwith.

(v) The advance should be refunded in full if the outward journey is not commenced within 30 days of the grant of advance. However, in cases where reservations can be made sixty days before the proposed date of the outward journey and advance is granted accordingly, the Government servant should produce the tickets within ten days of the drawal of advance, irrespective of the date of commencement of the journey.

(vi) Where an advance has been drawn by a Government servant, the claim for reimbursement of the expenditure incurred on the journey shall be submitted within one month of the completion of the return journey. On a Government servant's failure to do so, forthwith in one lumpsum. No request for recovery of the advance instalments shall be entertained.

16. Fraudulent claim of leave travel concession.—(1) If a decision is taken by the Disciplinary Authority to initiate disciplinary proceedings against a Government servant on the charge of preferring a fraudulent claim of leave travel concession, such Government servant shall not be allowed the leave travel concession till the finalisation of such disciplinary proceedings.

(2) If the disciplinary proceedings results in imposition of any of the penalties specified in Rule 11 of the Central Civil Services (Classification, Control and Appeal) Rules, 1955, the Government servant shall not be allowed the next two sets of the leave travel concession in addition to the sets already withheld during the pendency of the disciplinary proceedings. For reasons to be recorded in writing, the controlling authority can also disallow more than two sets of leave travel concession.

(3) If the Government's servant is fully exonerated of the charge of fraudulent claim of leave travel concession, he shall be allowed to avail of the concession withheld earlier as additional set (s) in future block years but before the normal date of his superannuation.

Explanation.—For the purpose of this rule, leave travel concession to home town and leave travel concession to any place in India as specified in clauses (a) and (b) of Rule 8 shall constitute two sets of the leave travel concession.

17. Interpretation.—If there is any doubt regarding any of the provisions in these rules the matter shall be referred to the Government of India in the Department of Personnel & Training, who shall decide the same.

18. Power to relax.—Save as otherwise provided in these rules, where any Ministry or Department of the Government is satisfied that the operation of any of these rules/ causes undue hardship in any particular case, that Ministry or Department, as the case may be, by order for reasons to be recorded in writing, dispense with or relax the requirements of that rule to such extent and

subject to such exceptions and conditions as it may consider necessary for dealing with the case in a just and equitable manner:

Provided that no such order shall be made except with the concurrence of the Department of Personnel & Training.

19. **Saving.**—All the existing instructions which are not contrary to any of the provisions of these rules and all instructions which cover matters not specifically covered by these rules shall continue to be in force until they are amended, modified or cancelled.

LEAVE TRAVEL CONCESSION

Leave Travel Concession to employees of Lakshwadeep and Andaman Nicobar Administrations:—

The Government of India *vide* No. F. 17 (4) E II (A) 85, dated 8.9.1986 has granted 90% of estimated ship Fare from Island to Mainland and back for free annual Free Sea Passage. Advance for LTC from 80% and 90% of the estimated Fare has also been increased.

1. The undersigned is directed to say that the President has been pleased to decide that employees of the Lakshwadeep and A & N Administrations may be sanctioned an advance of 90% of the estimated ship fare from Island to Main Land and back for availing Annual Free Sea Passage. It has also been decided to increase the amount of advance for availing Leave Travel Concession from 80% to 90% of estimated fare in respect of the Central Government employees.

2. Necessary amendments in this regard to Rule 235 (2) of the General Financial Rules, 1963 and to Govt. of India's decision (2) below this rule are enclosed.

3. This Ministry's O.M. No. F. 17 (1) E. II (A) 75, dated 27-11-1975 and O.M. No. F. 17 (1)-E. II (A)/86, dated 30-4-1986 are hereby cancelled.

4. So far as persons serving in the Indian Audit and Accounts Department are concerned these orders issued in consultation with the Comptroller and Auditor General of India.

5. Ministry of Home Affairs etc. are requested to bring these orders to the notice of all their attached and subordinate offices.

6. Hindi version of this O.M. is enclosed.

LTC:—USE OF PRIVATE BUS SERVICE

With regards to the travel by Private Buses operating with the approval of Transport authority whether permissible for the purpose of Leave Travel Concession, the Government of India *vide* No. 31011/3/86 dated 20/1/1987 has clarified that travel by Private Buses operating as regular service on fixed fare rates does not amount to travel by Private Chartered Bus. The modification/clarification reads as under:—

With reference to para 3 of this Department's Office Memorandum No. 31011/2/84-Estt (A) dated 11th July, 1985 a doubt has been raised whether travel by Private Buses operating as Regular Transport Service (as distinct from Private Chartered Buses) with the approval of Regional Transport Authority/State Government concerned, is permissible for purpose of Leave Travel Concession.

2. In this connection, it is clarified that only journeys by vehicles of the following categories are not recognised for purposes of L.T.C. w.e.f. 11-7-1985.

- (a) Private Chartered Vehicles including vehicles taken on hire by private parties from Tourism Development Corporations in Public sector or State Transport Corporation or transport undertakings of local bodies and run on charter by such private parties; and
- (b) Vehicles whether owned or borrowed or hired by Government servants.

However, travel by Private Buses operating as regular transport service from point to regular intervals on fixed fare rates, with the approval of Regional Transport Authority/State Government concerned does not amount to travel by Private Chartered Bus within the meaning of para 3 of this Department's above O.M. dated 11-7-1985.

3. In so far as employees serving in the Indian Audit and Accounts Department are concerned these orders issue in consultation with the Comptroller & Auditor General of India.

REIMBURSEMENT TO LEAVE TRAVEL CONCESSION CLAIM

On the point relating to submission and settlement of travelling allowance claims, the period which the employees should submit his claims has been reduced from one year to 3 months. Therefore Leave Travel Concession where no advance was drawn shall stand forfeited if the same has not been claimed within the stipulated period. The Government of India has taken this decision vide No. 31011/28/86, dated 26-3-1986.

1. The undersigned is directed to refer to this Department O.M. No. 43/1/72. Estt. (A), dated 22nd August, 1972 on the above subject. On a review of the existing provisions relating to submission and settlement of travelling allowance claims under the Leave Travel Concession Scheme, it has been decided that in cases where no travel advance had been drawn, the period within which a Government servant should submit his claim on completion of the return journey should be reduced from one year to three months. Accordingly, the right of a Government servant for reimbursement of his Leave Travel Concession claim, where no advance was drawn by him, shall stand forfeited or be deemed to have been relinquished, if the claim is not preferred within three months of the date of completion of the return journey. In cases where advance has been drawn towards L.T.C., the final bill will have to be preferred within or, month of the completion of return journey.

LEAVE TRAVEL CONCESSION

*Hardship in undertaking Journey Vehicles by Private Operators/
Private cars in Reimbursement*

The Government of India vide No. 31011/34/86, dated 5-2-1987 has modified the instructions in respect of journeys undertaken by vehicles by Private Cars by Central Government employees.

The undersigned is directed to invite attention to the Department of Personnel and Training O.M. No. 31011/2/14-Estt. (A), dated 11-7-1985 by which the following decisions in the matter of L.T.C. applicable to Central Government servants were made effective from the date of issue of the O.M.—

- (i) Full reimbursement of the expenditure incurred by Central Government servants under the scheme of LTC to home-town once in two years will be allowed irrespective of the distance between the headquarters and the home-town.
- (ii) Travel by chartered vehicles owned and/or operated by private operators or by private cars will not be allowed for purpose of journeys for visiting to home-town or any place in India availing of the LTC.

2. It has been represented that the instructions contained in the O.M. dated the 11th July, 1985 reached the field offices much after the issue of the O.M. and as a result of the delay in circulation of the instructions a number of Government servants, who had undertaken journeys availing of the LTC on or after the 11th July, 1985, but before the circulation of the O.M. in their offices, by chartered vehicles owned and/or operated by private operators or by private cars have been made ineligible for the reimbursement of the expenditure incurred on such journeys. With a view to remove any hardship, it has been decided that in partial modification of the O.M. dated 11th July, 1985, Government servants, who undertook journeys by vehicles owned or operated by private operators and by private cars may be allowed reimbursement on account of LTC subject to the fulfilment of the following conditions:—

- (i) The benefit of reimbursement in respect of journeys undertaken in vehicles owned or operated by private operators and by private cars will be admissible only if the onward journey had been undertaken by the Government during the period 11-7-1985 to 15-8-1985.
- (ii) The Government servant should have furnished or should furnish proof to the satisfaction of the authority competent to sanction the Leave Travel Concession that he performed the journey by a chartered private bus.
- (iii) The actual reimbursement in respect of the LTC will be limited to the rail fare by the entitled class or the fare by the Government bus or the fare actually paid for the journey by the private bus, whichever is less.

3. In a case falling under para 2 where a part of the journey has been performed by an approved mode of transport and the remaining part has been performed by a private chartered vehicle made inadmissible under the orders dated 11-7-1985, the journey performed by the approved mode of transport will be governed by the instructions issued earlier and the remaining part of the journey in accordance with these instructions.

4. It is, however, clarified that the decision contained in para 2 above will not in any way affect the benefit of full reimbursement of the expenditure incurred by the Government servant for visiting his home-town by virtue of the decision contained in the O.M. dated 11-7-1985 irrespective of actual date of the receipt/circulation of the O.M. in his office.

5. Cases not covered by the concession envisaged in para 2 above will be referred to the Department of Personnel and Training for deciding them on individual merits.

6. In so far as employees serving in the Indian Audit and Accounts Department are concerned, these orders issue in consultation with the Comptroller and Auditor General of India.

LEAVE TRAVEL CONCESSION

Entitlements for journeys on Transfer various modes of Transport—Government of India instructions *vide* No. 31011/35/86, dated 6-8-1987.

The undersigned is directed to say that consequent on the decisions taken by the Government on the 4th Pay Commission's recommendation relating to the entitlements for journey on transfer, the following will be the entitlement for journeys on various modes of transport while availing of L.T.C. by the Central Government employees and their families:—

1.1 Journey by rail:

Pay range	Entitlement of Class
(a) Rs. 2800 p.m., & above	II Class A.C. 2 Tier Sleeper/I Class
(b) Rs. 1400 p.m. & above but less than Rs. 2800 p.m.	I Class/A.C. Chair Car
(c) Less than Rs. 1400 p.m.	II Class (Sleeper)

The above entitlements at (a) & (b) shall also apply for the journey performed by II Class AC-2 Tier Sleeper and A.C. Chair Car on Rajdhani Express.

1.2 Journey by Road:

The Government's assistance towards the cost of journey between places not connected by rail will be admissible to the Government servants as under:—

- (i) where a public transport system with vehicles running between fixed points, at regular intervals and charging fixed fare rates, exists, the reimbursement will be the fare actually charged by such a system for the appropriate class of accommodation of the transport system.

Note.—Appropriate class means as following:

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| (a) Officers drawing pay of Rs. 1400 and above p.m. | By any type of bus including Super-deluxe, Deluxe, Express etc. buses but excluding Air Conditioned bus. |
| (b) Officers drawing pay of less than Rs. 1400 p.m. | By ordinary buses only, The claims for travel in Express buses may also be admitted, if the journey is actually performed by such bus on account of non-availability of seat in ordinary bus. |

- (ii) Where a public transport system does not exist, the entitlement will be regulated as in the case of journeys undertaken on transfer.

Note.—Leave Travel Concession shall not be admissible for journey by a private car (owned, borrowed or hired) or a bus, van or other vehicle owned or operated from point private operators. However, travel by Private buses operating as regular service from point to point at regular intervals on fixed fare rates, with the approval of Regional Transport Authority/State Government concerned will be admissible.

1.3 Journey by sea;

In regard to places in territory of India connected by shipping services, the entitlement of a Government servant to travel by ship will be regulated as in the case of journeys by ship undertaken on transfer.

1.4. Travel between places not connected by any means of transport;

For travel between places not connected by any means of transport, a Government servant can avail of animal transport like pony, elephant, camel etc. In such cases, mileage allowance will be admissible at the same rate as for journeys on transfer.

2. Pay for the purpose of entitlement as indicated above shall be the basic pay as defined Fundamental Rule 9 (21)(a)(i).

3. It is clarified that as the past, journey by I Class ACC by train and by Air-conditioned buses will not be the entitled mode of journey for LTC purposes for any class of Government servants.

4. These order will take effect from 1-11-1986. Cases already decided otherwise than in accordance with these orders in respect LTC journeys undertaken on or after 1-11-1986, may be re-opened and arrears, if any, paid to the Government servants concerned.

5. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders issue in consultation with the Comptroller & Auditor General of India.

LEAVE TRAVEL CONCESSION

Fraudulent claim of LTC—Initiation of Disciplinary Enquiry—Govt. of India Instructions *vide* No. 31011/16/86, dated 8-10-1987.

The undersigned is directed to say that it has come to the notice of the Government that, in a number of cases, Government servants misuse the Leave Travel Concession facility. It has, therefore, been decided that whenever a case of fraudulent claim of LTC comes to notice and the competent disciplinary authority arrives a conclusion that there is a *prima facie* case for initiating disciplinary proceedings against the Government servant for this misconduct, the claim for the LTC, should be withheld and he should not be allowed this facility till finalisation of the proceeding.

2. If the Government servant is fully cleared of the charges of misuse of LTC, he will be allowed to avail of the LTC withheld earlier as additional set (s) of the LTC in future blocks of years but before his normal date of superannuation. In such a situation, the provisions relating to lapsing of LTC facility not availed of within the first year of the next block will not apply.

3. If however, the Government servant is not fully cleared of the charges of misuse of the LTC, he shall not be allowed the next two sets of LTC in

addition to the set (s) of LTC, already withheld. If the nature of the misuse is grave, the competent authority may disallow more than two sets of LTC. Such disallowance shall be without prejudice to the Government for any proved misconduct in the disciplinary proceedings.

4. The orders will take effect from the date of this issue.

5. In so far as the persons serving in the Indian Audit and Accounts Department are concerned, these orders issue with the concurrence of the Comptroller & Auditor General of India.

6. Ministry of Finance etc. are requested to bring these instructions to the notice of all Government servants serving under them.

Facility of LTC to Employees on Study Leave, Govt. of India Letter No. 31011/1/88, dated 30-3-1988.

The undersigned is directed to say that a large number of references are being received in this Department raising the question whether the leave travel concession could be allowed to the Central Government employees while on study leave. It is clarified that the leave travel concession is admissible to the Central Government employees while on study leave. In such cases the claims are to be regulated as under:

- (a) For self-Government servant can avail leave travel concession from the place of study leave to any place in India/home town, subject to the condition that the reimbursement of fare should be restricted to the fare admissible for travel between his headquarters station to any place in India/home town or actual expenditure, whichever is less;
- (b) For the Family Members:
 - (i) When the Family members are staying with the Government servant at the place of his study leave;
 - (ii) When not staying at the place of study leave.

The reimbursement will be as under the normal terms and conditions of the leave travel concession scheme.

2. Ministry of Agriculture etc. are requested to bring the above clarification to the notice of all their attached and subordinate offices etc.

Facility of LTC to the "Family" not residing with Govt. servants but wholly dependent—Govt. of India Letter No. 31011/14/86, dated 8-5-1987—A—Clarification.

The undersigned is directed to invite the attention to para (5) of this Department O.M. No. 43/1/55-Estt. (A), Part II, dated the 11th October, 1956 wherein the definition of "family" as given is S.R. 2 (8) as amended from time to time has been adopted for the purpose of Leave Travel Concession. According to the existing definition contained therein, the term 'family' includes a Government servant's wife or husband, as the case may be, residing with the Government servant and legitimate children and step children, parents, sisters and minor brothers, residing with and wholly dependent upon the Government servant. It is clear from the above that a person cannot be as a member of the family of a Government servant for the purpose of the Leave Travel Concession, even

if he is wholly dependent on him unless it is established that he resides with the Government servant. Special provisions have, however, been made to allow the Leave Travel Concession of families of the Government servants posted at non-family stations and also the children who are prosecuting studies at stations other than the Headquarters of the Government servant. The staff side in the National Council (JCM) have suggested that in the case of members of family the condition of residence with the Government servant should be done away with for the purpose of allowing of Leave Travel Concession to them.

2. The suggestion has been considered in this Department and it has been decided that in cases where the Government servant has left his/her spouses and the dependent children at place other than his/her Headquarter, he allowed Leave Travel Concession in respect of them from the place of their residence to home town in a block of 2 years or any place in India in a block of 4 years, as the case may be, but the reimbursement should in no case exceed the actual distance travelled by the family or the distance between the headquarters/ place of posting of Government servant and the place visited/home town, whichever is less. In the case of other members falling the definition of "family" the existing conditions and restrictions will continue to be in force.

3. The provisions of this Department's O.M. No. 43/1/55-East. (A) Part II, dated 11th October, 1956, O.M. No. 31011/6/80-Estt. (A), dated 24th March, 1981 and O.M. No. 31011/17/83-Estt. (A) dated the 27th December, 1983 shall stand modified accordingly in the light of the above decision which will take from the date of issue of this Office Memorandum.

4. In so far as persons serving in Indian Audit and Accounts Department are concerned, these orders issue in consultation with the Comptroller and Auditor General of India.

LEAVE TRAVEL CONCESSION

Tours by Central Government Employees by Buses on Hire of State Tourism—GOI No. 31011/9/86, dated 17-8-1987—Clarification:—

The undersigned is directed to refer to this Department's letter of even number dated 18-4-1986 (copy enclosed) addressed to the Chief Secretary, Government of Maharashtra, and copies endorsed to all the Ministries/ Departments etc. of the Government of India, on the subject cited above and to say that the matter regarding Leave Travel Concession claims of the employees of the District Manager, Telephones, Nagpur, has since been inquired into by the Government of Maharashtra. They have now clarified that the tours by chartered buses were actually conducted and operated by the Maharashtra Tourism Development Corporation by taking the vehicle on hire from some private parties. The certificate earlier issued by the Regional Officer, M.T.D.C., Nagpur, stating that the buses of the Corporation were hired out to some private parties, who conducted the tours, was not correct. In view of this clarification by the State Government that the tours were actually conducted by the Maharashtra Tourism Development Corporation, Nagpur, it has been decided to allow Leave Travel Concession claims of the employees of D.M.T. Nagpur etc. who actually travelled by these buses taken on hire by the M.T.D. from private parties.

2. This Department have been receiving references seeking clarification regarding admissibility of L.T.C. claims, when the journeys are performed by chartered buses either owned or hired by I.T.D.C./State Tourism Corporations. It is once again is clarified that the journeys by the chartered buses shall be admissible for L.T.C., only in these cases where the tour is wholly operated and conducted by the I.T.D.C./State Tourism Development Corporations, either owner buses taken on hire from outside. It should, however, be clearly by their certified by the I.T.D.C./State Tourism Development Corporation concerned that the tour was actually conducted/operated by them and not by any private party/person.

Ministry of Agriculture etc. are requested to bring the contents of this O.M. to the notice of all their attached and subordinate offices/field offices.

Enclosure

Subject: Leave Travel Concession to Central Government Employees and M.T.D.C. Buses regarding.

The Chief Secretary,
Government of Maharashtra, Bombay.

Sir,

I am directed to forward herewith letter No. A- 14/RAG/99, dated 17th March, 1986 along with its enclosures from the District Manager, Telephones, Nagpur on the above subject and to say that the facility of availing Leave Travel Concession by Government servants by travelling in private chartered buses has been withdrawn with effect from 11-7-85 in terms of this Deptt's Office Memorandum No. 31-11/2/84-Estt. (A), dated the 11th July, 1985 (copy enclosed). It is observed from the enclosed letter that Private Transporters in Nagpur are chartering the buses of the Maharashtra Tourism Development Corporation and are conducting L.T.C. tours for the Government employees on long routes. The M.T.D.C. is also issuing certificates in such a manner as to misuse by the private operators who issue misleading advertisements to give the impression that travel by their buses chartered from M.T.D.C. is permissible for purpose of L.T.C. The actual fact is that travel by vehicles operated by private operators, irrespective of the fact whether such vehicles are owned by them or chartered by them from others, does not qualify for purposes of L.T.C. It is only travel by buses directly operated on tours by State Tourism Development Corporations that qualifies for purposes of L.T.C. and not travel by buses of State Tourism Development Corporations chartered out by them to private parties. In the circumstances, it is requested that a suitable directive may be issued to the Maharashtra Tourism Development Corporation to desist from issuing letters like the one at Annexure-A to the enclosure. This is necessary because notwithstanding the issue of such letters, L.T.C. claims of the employees concerned are not admissible and the Corporation of the State Government may unwittingly get a bad name on this account. [The National Rural Employment Guarantee Act, 2005 (Act 42 of 2005)].
