

**Delhi Transport Corporation
Personnel Department
I.P. Estate: New Delhi**

No.PLD-V/Misc./2019/3725

Dated: - 09.10.2019

In the 6th Pay Commission when an employee availed Leave without Pay (LWP) for a period of more than 180 days, he was not granted increment and after that in future increment was paid to him in accordance with rules. However, in a recent case on the above issue of grant of increment etc., the Hon'ble Court of Ms. Shail Jain, P.O., I.T.-02, Dwarka Courts, New Delhi after hearing the matter passed an award in favour of the workman and against DTC according to clause 26(b) of FRSR and Government order No. OM No. F.7(2)-E, III (A)/72 dt. 28.01.1972 which provides that in case extra ordinary leave is taken on the ground of illness, the same will be counted for the purpose of increment.

2. Consequent upon the implementation of the CCS (RP) Rule, 2008, the increments in the revised pay structure are to be regulated in terms of Rule 10 of the CCS (RP) Rules, 2008. This rule states that "there will be a uniform date of annual increment viz. 1st of July every year. Employees completing 6 months and above in the revised pay structure as on 1st July will be eligible to be granted the increment. It is further clarified that according to clause 26(b) of FRSR, the extraordinary leave taken on account of illness covered by a medical certificate already counts for increments.

3. From the perusal of FR 26(b) and the Government order OM No. F.7(2)-E, III(A)/72 dated 28.01.1972, it is clear that extra ordinary leave taken on account of illness covered by a medical certificate already counts for increment. Therefore, the combined reading of FR 26(b) and Government order No. OM No. F.7(2)-E, III(A)/72 dated 28.01.1972 stated above clearly provides that in case extra ordinary leave is taken on the ground of illness, the same will be counted for the purpose of increment.

4. Instances have come to the notice that the unit officers frequently sending files to PLD (HQ) seeking clarification whether the sanctioned leave without pay on medical ground may be excluded from the total LWP for the purpose of annual increment. In this connection, henceforth, it is hereby instructed to deal with above issue according to

clause 26(b) of FRSR and take action as per following guidelines in the matter instead of referring the case to PLD for clarification :-

i) The sanctioned LWP on medical grounds wherein medical rest given by the DTC Medical Board or Medical rest given by the Government Hospital to an employee for self sickness be excluded from the total LWP and benefit of annual increment be granted to employee concerned according to para 2 above.

ii) The entry of such LWP as indicated above (S. No. i) should be entered in the service book of the employee with red ink that the period of LWP on medical ground and rest given by the DTC Board/Government Hospital. Further, leave applications of above ground be kept in the Personnel File of employee with proper paging etc.

iii) In addition to above, if an employee proceeds on EOL (Extra Ordinary Leave) with proper medical certificate, he/she cannot be denied increments.

This has approval of the competent authority.


(Ankur Garg)
Manager (Pers.)

All Unit Officers

Copy to : All HODs
All Dy. CGMs }

For kind information pls.