

Government of Jammu and Kashmir
Finance Department
Civil Secretariat, Jammu / Srinagar.

Notification,
Jammu, the 3rd December, 2019

S.O. 22 - In exercise of the powers conferred by proviso to Article 309 of the Constitution and all other enabling provisions in this behalf, the Lieutenant Governor is hereby pleased to make the following rules; namely:-

1. **Short title, commencement and application-** (1) These rules shall be called the Jammu and Kashmir Civil Services (Leave Travel Concession) Rules, 2019;
(2) They shall be deemed to have come into force with effect from 31.10.2019.
(3) Subject to the provisions of sub-rule (4) below, these rules shall apply to the persons appointed to the civil services and posts in connection with the affairs of the Union Territory of Jammu and Kashmir.
(4) These rules shall not apply to the:-
 - (i) Persons not in whole time employment ;
 - (ii) Persons in casual and daily rated employment;
 - (iii) Persons paid from contingencies ;
 - (iv) Persons in work charged establishment;
 - (v) Persons employed on contract except when the terms of contract provide otherwise ;
 - (vi) Persons re-employed after retirement except when the terms and conditions of re-employment provide otherwise; and
 - (vii) Persons eligible to any other form of travel concession available during leave or otherwise.
2. **Scope-** The Leave Travel Concession shall cover the government servant himself/herself and his/her family.
3. **Definitions-** In these rules unless the context otherwise requires:-
 - (a) "A place in India" means any place within the territory of India, whether it is in the main-land India or overseas.

(b) **"Block of years"** means a block of two calendar years for LTC to home town and a block of four calendar years for LTC to any place in India.

(c) **"Controlling officer"** for purpose of these rules means the authority prescribed for countersigning T.A. bills, as under:

- | | |
|------------------------------------|---|
| (i) For Non-Gazetted Govt. Servant | Gazetted Officer in charge of the establishment to which the Govt. servant belongs. |
| (ii) For Gazetted officer | Next higher Administrative Officer. |

(d) **"Sanctioning authority"** for purpose of these rules means the authority competent to sanction Leave Travel Concession to the Government employees, which shall be as under:-

(i) For Non-Gazetted Officer	Head of the Department concerned or Administrative Secretary to Government of the concerned department in the case of Secretariat employees.
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(ii) For Gazetted Officers	Government in the Administrative Department.
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(e) **"Disciplinary authority"** means an authority which is empowered to impose penalties to Government Servants in terms of Rule 30 of Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956.

(f) **"Family"** means:-

(i) the government servant's wife or husband, as the case may be, and two surviving unmarried children or step children wholly dependent on the Government servant, irrespective of whether they are residing with the government servant or not;

(ii) married daughters who have been divorced, abandoned or separated from their husbands and widowed daughters as are residing with the Government servant and are wholly dependent on the Government servant;

- (iii) parents and/or step parents residing with and wholly dependent on the Government servant;
- (iv) unmarried minor brothers as well as unmarried, divorced, abandoned, separated from their husbands or widowed sisters residing with and wholly dependent on the Government servant, provided their parents are either not alive or are themselves wholly dependent on the Government servant.

“Explanation: A member of the family whose income from all sources, including pension, temporary increase in pension but excluding dearness relief on pension or stipend etc. does not exceed Rs. 9000 p.m. is deemed to be wholly dependent on the Government servant.”

- (g) **“Hometown”** means the town, village or any other place declared as such by the Government servant and accepted by the controlling officer;

Explanation: The criteria mentioned below may be applied to determine whether the government servant's declaration may be accepted-

- i) whether the place declared by Government servant is one which requires his physical presence at intervals for discharging various domestic and social obligations.
 - ii) whether the Government servant owns residential property in that place.
 - iii) whether his near relations are resident at that place.
- (h) **“Shortest direct route”** shall have the same meaning as given in Article 306 (a), (b) and (c) of Jammu and Kashmir Civil Service Regulations, 1956.

- (i) **“LTC”** means Leave Travel Concession.

4. **Declaration of Family-** Every Government servant shall declare his/her family at the beginning of a block of years in Form 1 appended to these rules. This declaration duly certified by a Gazetted Officer, in case of Non-Gazetted employees, shall be registered with the Head of the Office. The Head of the Office shall paste the declaration with the Service Book of the employee and make use of it at the time when application for LTC is made by the employee. On the occurrence of any change in the family strength, the employee shall make a fresh declaration in the prescribed manner.

5. **Admissibility of Leave Travel Concession:-**

- i) The Leave Travel Concession shall be admissible to a Government servant specified in sub-rule (3) of rule 1 and his/her family, if the

Government servant has completed five years continuous regular service under the government on the date of application to be made in Form-2:

Provided that an employee completing five years continuous regular service during the course of block of years shall be eligible to avail the LTC during the remaining period of same block.

- ii) The concession shall be admissible during any period of the leave including Casual Leave.
- iii) The concession will not be admissible when a Government servant undertakes journey during the week-end holidays or any other period of holidays alone without any leave.
- iv) The concession shall not be admissible to a Government servant who proceeds on regular leave and then resigns his post without returning to duty.
- v) Government servants serving in the Vacation Department and entitled to enjoy regular vacation can avail LTC during vacation period.
- vi) The concession shall not be admissible to a Government servant (including his/her family) during the period of suspension.
- vii) In the case of husband and wife, who are both Government servants, he or she can avail of the Leave Travel Concession as a family member of his or her spouse.
- viii) Government servant(s) on deputation/Foreign service shall be entitled to LTC under these rules. The expenditure on LTC in such cases shall be paid by the borrowing agency subject to its sanction by Administrative Department to which the employee(s) belongs.

6. Declaration of place of visit:-

(1) When the Leave Travel Concession to visit any place in India is proposed to be availed of by a Government servant, the intended place of visit shall be declared by the Government servant in advance in Form 2. The declared place of visit may be changed before the commencement of the journey with the approval of the authority competent to sanction LTC in exceptional circumstances.

(2) The family shall be allowed to avail the facility in one go and not in batches. Where both the husband and the wife are government employees, the facility shall be availed only once during a block of years.

7. Types of Leave Travel Concession:-

- i) The Leave Travel Concession to hometown shall be admissible irrespective of the distance between the headquarters of the Government servant and his hometown, once in a block of two calendar years commencing with 2020-21.
- ii) 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, commencing with 2020-23.

Note: Employees who wish to avail LTC before 31st December, 2019 may do so; however L.T.C availed during the period of issuance of these rules and 31st December, 2019 shall be counted towards block year 2020-21/2020-23.

8. Counting of LTC against a particular Block:-The concession of LTC availed will be counted against the block within which the outward journey commenced even if the return journey is performed after the expiry of the block.

9. Carryover 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, as the case may be, may avail of the same within 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/she can carry forward the leave travel concession to any place in India for a block of four years only if he/she 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.

10. Entitlement:-

- (i) Travel entitlement of Government servants for the purpose of LTC shall be as per the Travelling Allowance Rules laid down in J&K Civil Service Regulations as amended from time to time;
- (ii) No daily allowance shall be admissible for travel on LTC;
- (iii) Any incidental expenses and the expenditure incurred on local journeys shall not be admissible;

- (iv) If a Government servant travels by a class higher than to which he/she is entitled, reimbursement will be restricted to the rate of entitled class. If he/she travels by a lower class, the reimbursement will be as per the class travelled/fare actually paid.

11. Limitations on admissibility of LTC Charges:-

(1) Reimbursement for expenses of journey shall be allowed only on the basis of a point to point journey or against booked ticket(s) over the shortest direct route.

(2) Reimbursement of rail fare by chartered rail coaches and air fare, if any paid because of temporary dislocation of surface transport, shall be restricted to the amount admissible by entitled class.

(3) LTC is not admissible for journeys performed in a private car (owned, borrowed or hired) or chartered bus, van or other vehicle owned or operated by private operators. However, LTC shall be admissible for journeys conducted by Tourism Development Corporations, State Transport Corporations and Transport Services run by Central or other Government or local bodies. In such cases, the Government servant will be entitled to reimbursement of:-

(i) the actual hire charges on the chartered vehicle; or

(ii) the amount reimbursable had the journey to the declared place of visit been performed by the entitled class of rail by the shortest direct route, whichever is less.

(4) In case there is no public transport available in a particular stretch of the journey, reimbursement will be made as per his entitlement on transfer for a maximum limit of 100 kms by private / personnel transport based on self-certification. Furnishing of false certificate will attract disciplinary action.

(5) The travel by road to any place outside J&K shall not be admissible except between stations not connected by rail.

(5) Telegram charges for reservation of railway berths are inadmissible.

12. Grant of Advance and Adjustment thereof:-

(1) (a) Advance may be granted to Government servants by the authorities competent to sanction Leave Travel concession to enable them to avail themselves of concession for leave travel to any place in India. The application for grant of LTC advance shall be made in

Form 2. The amount of such advance in each case shall be limited to 90% of the estimated amount which government would have to reimburse in respect of the cost of the journey both ways.

(b) Sanction for availing of LTC and grant of advance therefor shall be issued by the competent authority in Form 5.

(2) Advance may be drawn both 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 does not exceed ninety days. If this limit is exceeded then the advance may be drawn for outward journey only.

(3) The advance shall be refunded in full if the outward journey is not commenced within thirty days of the receipt of advance. However, in cases where reservations are made sixty days before the proposed date of outward journey and advance is made accordingly, the Government servant shall produce the tickets, within ten days of the drawl of advance irrespective of the date of commencement of journey.

13. **Earned leave encashment facility:-**An employee may be permitted to encash maximum of 10 days Earned leave at the time of availing of Leave Travel Concession without any linkage to the number of days and the nature of leave availed while proceeding on LTC. This is limited to a maximum of 60 days during the entire career and the total number of days so encashed will not be counted for computing maximum quantum of leave encashable at the time of quitting service

14. **Claim for adjustment/reimbursement:-**

- i) A claim for adjustment/ reimbursement of expenditure incurred on journey under Leave Travel Concession shall be submitted in Form 3 supported by Original tickets/payment vouchers.
- ii) 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, he/she shall be required to refund the entire amount of advance forthwith in lump sum. No request for recovery of advances in instalments shall be entertained.
- iii) Where no advance has been drawn, the claim shall be submitted within three months after the completion of the return journey. Failure to do so will entail forfeiture of the claim and no relaxation shall ordinarily be permissible.
- iv) A simple interest at 20% per annum or at the rate notified by the Government from time to time will be charged if the conditions laid

down in the sanction issued by the competent authority are not complied with and/or the rules are violated.

15. Fraudulent claims of Leave Travel Concession:-

- i) If a disciplinary proceeding against a Government servant has already been initiated or is proposed to be initiated on the charge of preferring a fraudulent claim of Leave Travel concession, such Government servant shall not be allowed the LTC for subsequent blocks till the finalisation of the disciplinary proceedings.
- ii) If the disciplinary proceedings result in imposition of any of the penalties specified in rule 30 of the Jammu and Kashmir Civil Service (Classification, Control and Appeal) Rules, 1956 the Government servant shall not be allowed to avail the LTC in the subsequent block(s) in addition to the one already withheld during the pendency of disciplinary proceedings.
- iii) If the Government servant is fully exonerated of the charge of fraudulent claim of LTC, he/she shall be allowed to avail of the concession withheld earlier as additional set in future block(s) of years but before the normal date of his/her superannuation.

16. Responsibility of Drawing and Disbursing Officer/Controlling Officer:-

(1) The advance for LTC shall be drawn and disbursed to a Government servant subject to the following conditions:-

(a) The LTC and the advance has been sanctioned by the competent authority as prescribed under clause (d) of rule 3 of these rules.

(b) Immediately after drawl of an advance, an entry shall be made in the Service Book of the concerned Government servant as under:-

“Shri _____ has been allowed to avail of LTC for the block _____ vide order No. _____ dated _____ issued by _____ and an amount of Rs. _____ has been drawn vide CV/T.V. No. _____ dated _____ and paid to him/her for the purpose.”

(c) The bill for drawl of an advance shall be accompanied by the order sanctioning the LTC and the advance.

(2) At the time of adjustment/reimbursement of LTC claims inter-alia the following formalities shall be observed:-

(a) The Controlling officer, as prescribed in these rules, shall examine the genuineness of the claim by verifying the original Air Ticket (including boarding cards)/Rail/Road tickets etc. before countersigning the final claim.

(b) After the final adjustment, an entry shall be made in the Service Book of the Government servant as under:-

"The advance of Rs. _____ drawn vide CV/T.V. No. _____ dated _____ and paid to the official (refer page _____ of Service Book) has been adjusted vide T.V. No/Cash Vr. No. _____ dated _____ and there is nothing outstanding on this account against the official".

(c) On the bill through which the adjustment is made, a certificate shall be recorded that the prescribed entries have been made in the Service book of the official.

(3) Drawing and Disbursing Officers/Controlling Officers shall be personally responsible for deviation or violation of any provision contained in these rules.

17. **Accounting of expenditure on Leave Travel Concession:-** The expenditure on account of LTC will be debitable to the detailed head "LTC" under the relevant Minor/Major Head of Account.

18. **General:-** (1) The sanctioning authority shall allow only such number of employees of a particular establishment to avail of LTC in a year of a relevant block as can be accommodated within the available budget under the detailed head "LTC" for the relevant year:

Provided that an employee who may not have been allowed to avail LTC in a block for reasons not attributable to him/her may be given priority in availing the concession in the next block.

(2) In order to have effective watch over the sanctions for LTC, recovery/adjustment of LTC advance/claims, the Head of Office shall maintain a register of LTC claims, advances in Form 4. This register shall be reviewed monthly for analysing the position of outstanding advances paid upto the end of proceeding month for recording orders in regard to the recovery/adjustment of outstanding advances, where these are due for adjustment. In this register all outstanding advances shall be brought forward as opening entries. A monthly statement of facts shall be submitted to the Controlling Officer and Head of the Department.

19. **Interpretation:-** In case of any doubt regarding any of the provisions in these rules, the matter shall be referred to the Government in the Finance Department for interpretation and the decision thereof shall be final.
20. **Power to relax:-** Save as otherwise provided in these rules, the Government in the concerned Administrative Department on being satisfied that the operation of any of these rules causes undue hardships in any case, may by order, for reasons to be recorded in writing, dispense with or relax the requirements for that rule to such extent and subject to such conditions and exceptions as it may consider necessary for dealing with the case in a just and equitable manner:

Provided that no such relaxation shall be allowed without the concurrence of the Finance Department.

21. **Repeal and savings:-**

(1) From the date of commencement of these rules, the Jammu and Kashmir Civil Services (Leave Travel Concession) Rules, 1996, are hereby repealed.

(2) Notwithstanding such repeal, any order made, action taken or liability incurred under the rules so repealed shall be deemed to have been made, taken or incurred under the corresponding provisions of these rules.

By Order of the Lieutenant Governor.

Sd/
(Dr. Arun Kumar Mehta), IAS,
Financial Commissioner,
Finance Department.

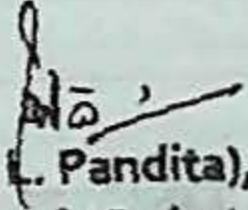
No. A/02(2018)-UT-1169

Dated: 3 -12-2019

Copy to the:-

1. Advocate General, J&K High Court Jammu/Srinagar.
2. All Financial Commissioners.
3. Principal Accountant General J&K Jammu/Srinagar.
4. All Principal Secretaries to Government.
5. Director General Police, Police Headquarter, J&K.
6. Principal Secretary to Lieutenant Governor.
7. Principal Resident Commissioner, 5-Prithvi Raj Road New, Delhi.
8. Chief Electoral Officer, J&K.
9. All Commissioner/ Secretaries to Government.
10. Divisional Commissioner Jammu/Kashmir.
11. Principal Secretary to Chief Justice J&K High Court Jammu/Srinagar.
12. Registrar General, J&K High Court Jammu/Srinagar.

13. Director Anti Corruption Bureau, J&K.
14. Director General Accounts and Treasuries.
15. Director General, Audit and Inspections.
16. Director General, J&K Funds Organization.
17. Director General, Budget Division J&K.
18. Director General Local Fund Audit & Pensions, J&K.
19. Director Information, J&K.
20. All Head of Departments/ Managing Directors/ Chief Executives of State PSU's/ Autonomous Bodies/ Societies.
21. Secretary, J&K Public Service Commission.
21. Secretary, J&K Legislative Assembly.
23. All Directors of Finance/Financial Advisors & CAOs.
24. General Manager, Govt. Press Jammu/Srinagar for publication in Government Gazette.
25. Private Secretary to Hon'ble Advisor (S/F) to the Lieutenant Governor.
26. Private Secretary to Chief Secretary.
27. Private Secretary to Financial Commissioner, Finance Department.
28. All Treasury Officers.
29. President Jammu & Kashmir Civil Secretariat Non-Gazetted Employees Union, Jammu / Srinagar.
30. I/C website, Finance Department (www.jakfinance.nic.in).
31. I/C website, GAD (www.jkgad.nic.in).
32. Government Order File (W2scs).


(S. L. Pandita),
Director General (Codes),
Finance Department.

FORM 2

Application Form for

- : (i) Declaration of place of visit.
- : (ii) Sanction of LTC
- : (iii) Grant of advance for LTC

1. Name of the Government Servant : _____
2. Designation : _____
3. Date of entry in the Govt. Service : _____
4. Total service as on the date of application for LTC. : _____
5. Basic Pay (with level of Pay) : _____
6. Whether spouse is employed. If so whether he/she is entitled to LTC (Reference to rules where-under entitled may be given) : _____
7. In case of spouse being entitled to LTC state whether he/she has claimed it separately : _____
8. Place to be visited : _____
9. Block for which LTC is to be allowed : _____
10. Single Air fare/ Rail fare/bus fare from the Headquarters to the place of visit by shortest direct route : _____
11. Persons in respect of whom LTC is proposed to be availed : _____

S. No.	Name	Age	Relationship (Refer Form 1)
1.			
2.			
3.			
4.			
5.			

12. Estimated amount for availing LTC (with full details) : Rs. _____
13. Amount of advance required : Rs. _____

14. Declaration by Government servant :

I declare that the particulars furnished above are true and correct. I undertake to book the tickets for the outward journey within prescribed time after receipt of advance. In the event of cancellation of the journey or if I fail to book the tickets within the prescribed time limit, I undertake to refund the entire advance in one lump-sum.

Dated: _____

Signature of Govt. Servant

FOR USE IN OFFICE:-

1. Certified that:-

- (a) Particulars in S.No. 1 to 6 have been verified and found correct.
- (b) The members of the family as shown under S.No. 11 above exist in the declaration made by Government servant in Form (I) which is pasted in his Service Book, and the said members are entitled to LTC.

Seal & Signature of Head of Office

2. Check list:

- (a) Fare for to and fro journey by the entitled class or the classes by which the official proposes to travel, whichever is less. Rs. _____
- (b) No. of entitled persons for whom advance is claimed _____
- (c) Amount reimbursable to official Rs. _____
- (d) Amount of advance admissible (90% of item 3) Rs. _____

Note:- This Form shall be prepared in duplicate and one copy forwarded to the sanctioning authority for sanction of LTC.

8. Amount of advance, if any drawn Rs. _____

(Reference to sanction)

9. Amount reimbursable/recoverable Rs. _____

10. Particulars of Journey(s) for which higher class of accommodation than the one to which the Government servant is entitled was used (sanction No. and date to be given).

Place From – To	Mode of conveyance	Class to which entitled	No. of fare(s) claimed	Amount of Fare(s) entitled to (in Rupees)	Class by which actually travelled	Amount of fare/fare(s) paid (in Rupees)
1	2	3	4	5	6	7

11. Particulars of Journey(s) performed by road between places connected by rail.

<u>Name of place</u>		<u>Class to which entitled</u>	<u>Rail fare</u>	
From	To		Rs.	p.

Certified that:

- The information as given above is true to the best of my knowledge and belief.
- That my spouse is not employed in Government service/that my spouse is employed in Government service and the concession has not been availed of by him/her separately for himself/herself or for any of the family members for the concerned block of years _____ to _____.
- That my spouse for whom LTC is claimed by me is employed in _____ (name) of the State/Union Territory/Public Sector

R.M. 2

Undertaking/Corporation/Autonomous Body etc.) which provided Leave Travel Concession facilities but he/she has neither preferred nor will prefer any claim on this behalf to his/her employer: and

4. That my spouse for whom LTC is claimed by me is not employed in any PSU/Corporation/Autonomous Body, finance wholly or partly by the Central/State Government/Union Territory or Local Body which provides LTC facilities to its employees and their families.

Dated: _____

Signature of Government servant

PART 'B'

(To be filled in by the Office)

1. The net entitlement on account of Leave Travel concession works to Rs. _____ (Rupees _____) as detailed below:

(a) Railway/Air/Bus/Steamer fare _____ Rs. _____

(b) Less amount of advance drawn vide cash/
Try. Voucher No. _____ dated: _____ Rs. _____

Net amount (payable/refundable)= _____ Rs. _____

2. The expenditure is debit to Account Head :-

(i) Budget allotment for the year _____ Rs. _____
(ii) Expenditure including this bill _____ Rs. _____
(iii) Balance available _____ Rs. _____

Countersigned:

Controlling Officer
(signature)

Signature of Drawing and Disbursing Officer.

Certified that necessary entries have been made in the Service Book of
Shri/Smt./Kumari _____

Signature of the Head of Office.

6/27

			Name of the Official
			Designation
			Reference to order under which LTC sanctioned
			Amount of advance paid (with date of payment)
			Treasury / cash voucher No. and date.
			Amount of final claim
			Balance amount paid/recoverable
			Vr. No and date (of adjustment)
			Outstanding amount
			Initials of D.D.O's
			Remarks

Register of LTC advances / adjustments and recoveries.

FORM 4

FORM 5

ORDER

Subject: Sanction of LTC/LTC Advance in favour of Shri/Smt _____

Reference: _____

1. Sanction is hereby accorded to the:

- (a) Grant of LTC to _____ in favour of Shri/Smt _____
Working as _____ in the office of _____ who shall
avail it from _____ to _____ for which
the _____ leave shall be sanctioned by the competent authority
separately;
- (b) Grant of an advance of Rs. _____ (90% of the estimated expenditure of
Rs. _____ as per item 12 of Application (Form 2) for availing of the
LTC.

2. The sanction for LTC has so far been accorded in favour of _____ officials/
out of _____ officials during the current year of Block _____.

3. The sanction shall be subject to the following terms and conditions:-

- (a) An entry shall be made in the Service Book of the official as prescribed under Rule 16 (1) and
16 (2) of the J&K Civil Service (LTC) Rules, 2019;
- (b) The official shall submit the final LTC claim in Form 3 within one month from the date of
return journey after availing the LTC;
- (c) The other conditions for grant of this concession shall be same as laid down in J&K Civil
Service (LTC) Rules, 2019.

{Sanctioning Authority}

Note:-

- (i) Copy of this sanction duly attested by the Drawing and Disbursing Officer shall
be attached to this bill for advance drawal to be presented at the Treasury for
payment/drawal of bill.
- (ii) The copies of this order shall be endorsed by the sanctioning authority to
Accountant General J&K, Head of the Department, Controlling Officer,
Administrative Department and Concerned Officer invariably.