

GOVERNMENT OF MAHARASHTRA
Finance Department
Resolution No. LVE 2470/634/ 70 - X.
Sachivalaya, Bombay-32(BR), 15th May 1970.

R E S O L U T I O N

Government has decided that with effect from 1st April 1970 the Government servants should be allowed to encash a portion of their earned leave subject to the following conditions :-

2. (i) A Government servant (Gazetted or non-gazetted) who takes earned leave for a period of not less than thirty days, should be allowed to surrender the balance of the earned leave (or any portion thereof) to his credit on the date of commencement of leave, at his option, subject to a maximum of thirty days and he should be granted leave salary, non-practising allowance, Dearness Allowance and Compensatory Local Allowance, for the period of the leave surrendered.

(ii) The authorities who are empowered to sanction earned leave will be competent to accept surrender of earned leave. Application for surrender of earned leave should be made along with the application for grant of leave. *Project allowance vide 2. all. 3-1-74*

(iii) The number of days of earned leave surrendered under these orders should be reckoned as surrendered on the date of commencement of actual leave taken and deducted from the leave account of the Government servant on that date.

(iv) The concession of encashment of earned leave should be allowed once in a block of two years, the first block commencing from 1st April 1970. *X*

(v) The total of the earned leave actually availed of and the earned leave surrendered should not exceed the maximum leave admissible to the Government servant, at any one time, viz. 120 days under the Revised Leave Rules, 1935, and four months of leave on average pay under the Old Leave Rules.

(vi) In the cases of Government servants who are on the verge of retirement, the period of leave surrendered should not exceed the period of duty between the date of expiry of earned leave actually availed of and the date of compulsory retirement.

(vii) The leave salary and allowances admissible for the leave surrendered should be equivalent to the leave salary and allowances for the first thirty days of the leave enjoyed.

(viii) The leave salary and allowances for the period of surrendered leave should be paid in full soon after the commencement of leave. It is not liable to deductions on account of Provident Fund subscription, house rent and repayment of any advance, etc. to Government and repayment of any dues to Co-operative Societies, etc.

(ix) The concession should be admissible to Government servants who are on foreign service or on deputation to the Government of India or to other State Governments.

(x) The benefit of surrender of earned leave should not be allowed in cases of leave preparatory to retirement or 'refused leave' granted under Rule 6

OFFICE OF THE COLLECTOR,

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of the Revised Leave Rules, 1935, or under Bombay Civil Services Rule 753.

(xi) A Government servant who is permitted to surrender his leave should not ordinarily be permitted to rejoin duty before the expiry of the thirty days leave mentioned to him.

(xii) In cases of compulsory recall to duty, the Government servant may be allowed to enjoy the balance of his leave as soon as the service of the Government servant can be spared.

(xiii) In order to guard against omission to post a debit in the leave account in respect of the leave surrendered, in the case of non-gazetted Government servants, details of the surrendered leave should be noted in their Service Books and in their leave accounts when the leave salary is drawn. A certificate to the effect that the necessary entries have been made in the Service Book and the leave account should be furnished by the disbursing officer in the bill in which the leave salary for the surrendered leave is drawn.

(xiv) These orders also apply to Government servants who are governed by Old Leave Rules in Bombay Civil Services Rules Volume-I, in whose case the reference to "Earned Leave" and "thirty days" should be taken to mean "Leave on Average Pay" and "One month", respectively. These orders are also applicable to Government servants of the former States of Hyderabad and Madhya Pradesh who have retained the Leave Rules applicable to them as on 31st October, 1956.

3. Persons who are on earned leave on the date of these orders will be entitled to apply for surrender of earned leave, provided they avail themselves of a minimum of thirty days earned leave. Persons who have availed of a minimum of thirty days earned leave on or after 1st April, 1970 but joined duty before the date of issue of these orders should also be eligible for surrender of earned leave to the extent of 30 days.

4. Necessary amendments to the Revised Leave Rules, 1935, and the Bombay Civil Services Rules Volume-I, should be issued in due course.

By order and in the name of the Governor of Maharashtra,

M. D. SHANBHAG,
Deputy Secretary to the Government of Maharashtra,
Finance Department.

To

- *The Secretary to the Government of India, Ministry of Finance, New Delhi,
- *The Secretary, Maharashtra Public Service Commission, Bombay,
- *The Secretary, Maharashtra Legislature Secretariat, Bombay,
- *The Prothonotary and Senior Master, High Court, Bombay,
- *The Registrar, High Court of Judicature, Appellate Side, Bombay,
- The Accountant General, Maharashtra, Bombay,
- The Accountant General, Maharashtra, Nagpur Branch, Nagpur,
- The Pay and Accounts Officer, Bombay (Maharashtra State),
- The Resident Audit Officer, Maharashtra State, Bombay,
- The Chief Auditor, Local Fund Accounts, Maharashtra State, Bombay,
- The Senior Deputy Director, Commercial Audit Circle, Worli, Bombay-18,
- The Private Secretary to the Chief Minister,
- The Secretary to the Governor,
- The Divisional Commissioners, Bombay/Poona/Kurangabad/Nagpur,
- All Departments of the Secretariat,
- All Heads of Departments and Offices under the several Departments of the Secretariat,
- The Liaison Officer, Sachivalaya, Bombay,
- The Chief Executive Officers of all Zilla Parishads,
- The Personal Assistants to all Ministers and Deputy Ministers.

No.

of 1970.

Copy forwarded for information and guidance to -

*By letter

No. E31-I
Collector's Office
Ratnagiri 23.5.70