

Discontinuance of the block system for the grant of the benefit of surrender of earned leave -

GOVERNMENT OF MAHARASHTRA
Finance Department,

Resolution No. LVE-2476/145/76/SER-9,
Sachivalaya, Bombay-400 032, dated the 31st March 1976.

R E S O L U T I O N

Under Government Resolution, Finance Department No. LVE-2470/634/70-X, dated the 15th May 1970, as amended from time to time, the scheme of payment of leave salary for the surrender of earned leave has been introduced with effect from the 1st April 1970. According to paragraph 2(iv) of that Resolution, the surrender of earned leave is allowed once in a block of two years, the first such block having commenced from 1st April, 1970. It is noticed that the restriction on availment of the surrender of earned leave in a specified block of two years is inconvenient both to the administration and also to the individual employee. The extension of the present block of 1974-76 beyond 31st March 1976 will result in the overlapping of the blocks and consequent disruption in the working of the Departments during such period because of the Government servants going on earned leave and that will affect the implementation of the time bound 20-point and other essential programmes.

2. Government has, therefore, decided that with effect from 1st April 1976 the block system should be discontinued and the benefit of surrender of earned leave should be allowed to Government servants on the following conditions :-

- (i) The maximum earned leave that could be surrendered should be limited to 30 days, on actual availment of earned leave for a period of not less than 30 days;
- (ii) The benefit of surrender of earned leave shall not be allowed more than once in any financial year;
- (iii) On return from leave, the Government servant should serve Government for a period of not less than the period of earned leave surrendered.

The other conditions laid down in Government Resolution, Finance Department, dated the 15th May 1970, as amended from time to time as indicated in the Annexure to this Resolution will continue to apply.

3. Government is pleased to direct that the Heads of Departments/Offices should draw up a regular leave forecast each year and the grant of leave should be regulated throughout the year in such a way that the Government servants are able to avail of the benefit of the surrender of earned leave without detriment to the efficiency of the concerned department/office.

4. Government is further pleased to direct that Government servant who have not availed of the benefit of surrender of earned leave for the block period 1974-76, may be allowed to do so, even after the 1st April 1976 provided the conditions mentioned in paragraph 2 above and the other conditions laid down in Government Resolution, Finance Deptt. dated the 15th May 1970 as amended from time to time, as indicated in the Annexure to this Resolution, are fulfilled.

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

V. PRABHAKAR?

SECRETARY TO GOVT. OF FINANCE DEPARTMENT.

17 APR 1976

Annexure to G.R., F.D.No. LVE-2476/145/76-STR-9, dated the 31.3.76.

(Other conditions mentioned in Govt. Resolution, Finance Department No. LVE-2470/634/70-X, dated 15th May 1970 as amended from time to time).

(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, Project 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.

(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 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.

(v) 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.

(vi) The leave salary and allowances admissible for the leave surrendered should be at the rate of leave salary and allowances admissible at the commencement of Earned Leave. For this purpose, a month should be reckoned as 30 days, irrespective of the month in which the leave is availed of.

(vii) The amount of leave salary and allowances for the surrendered leave may be paid in advance but not earlier than six days before the commencement of leave. The leave sanctioning authority should insert a clause in the sanctioning order itself to the effect that in case the leave had to be cancelled by the competent authority before the date from which the Government servant was to proceed on leave, the amount of leave salary and allowances for the surrendered leave will have to be refunded forthwith to Government by the Government servant in one instalment or adjusted in full in the first monthly pay/leave salary bill of the Government servant. The leave salary for the period of surrendered leave is not liable to deductions on account of Provident Fund subscriptions, house rent and payment of any advances, etc. due to Government and repayment of any dues to Co-operative Societies, etc.

(viii) 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.

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

(x) 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 sanctioned to him.

(xi) In case of compulsory recall to duty, the

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(xii) 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. (49)

(xiii) The orders contained in Government Resolution, Finance Department, dated 15th May 1970 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. They 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.

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No. PST.II.Leave.
Collector's Office,
Ratnagiri. 12.4.76.

Copies forwarded to :

- 1) The Assistant Collector, Sawantwadi (w.cs.)
- 2) The Sbb-Divisional Officer, Chiplun/Dapoli/Ratnagiri.
- 3) Special Land Acquisition Officer B.& C., Regular, Minor Irrigation, Ratnagiri.
- 4) Special Land Acquisition Officer, Ratnagiri.