

GOVERNMENT OF ODISHA
FINANCE DEPARTMENT

No. 14326/F., dated 13.05.2015
CS-II-ESTT-0003-2014

To

**All Departments of Government/
All Heads of Department/
All Collectors.**

Sub: Recovery of leave salary/Pension Contribution in respect of Government employees during Foreign Service - clarification regarding.

The Rule 221 of Odisha Service code says that the Pension Contribution and Leave Salary Contribution shall be paid by the Government Servant himself, unless the foreign employer consents to pay them. Further as per Finance Department No-4961/F dt.22. 02.1964 " The Foreign Employer/Government Servant shall pay leave salary pension contribution within fifteen days from the end of the month in which the pay on which it is based has been drawn by the Government Servant concerned."

The Rule 223 of Odisha Service Code envisages that, the contribution for leave salary or pension due in respect of Government Servant on Foreign Service may be paid annually within fifteen days from the end of the month in which the pay relating to the month to which the contribution relate is drawn by the Government Servant concerned. If the contribution is not made within the said deputation period, interest must be paid to Government on the unpaid leave salary or Pension Contribution. Interest on unpaid leave salary or Pension Contribution shall be levied at the rate of two paise per Rs.100 a day upon the amount due from the date of expiry of fifteen day up to the date on which the contribution are finally paid.

In some cases, the Leave Salary and Pension Contribution have not been deposited by the Foreign Employer/Government Servant. In such cases the pension of the said Government Servant is being withheld by the Accountant General, Odisha. Where the Leave Salary and Pension Contribution is payable by the foreign employer, the Govt. employees is suffering hardship because of non-finalisation of pension for no fault of his//her.

After careful consideration, the Governor has been pleased to clarify as follows :-

- 1.** As per term and conditions of deputation if the leave salary contribution and pension contribution is payable by the Borrowing Organisation and the Foreign Employer has not paid the amount to Government, then the pension should not be withheld on this account.
- 2.** As per term and conditions of deputation, if the Leave Salary Contribution and Pension Contribution is not payable by the Borrowing Organisation, and the same has not been paid by the Government Servant, then that period will not count towards his/her qualifying service nor the period will count for accrual of leave. The period can be counted only on the recovery of the entire amount of pension and leave salary contribution along with penal interest from Government Servant.
- 3.** If the Government Servant who is liable to pay the Pension/ Leave Sa lary contribution himself, dies while on deputation or after deputation, the unpaid pension contribution and leave salary contribution payable by the Government Servant, for the deputation period will be recovered from the DCRG and the period will count towards pension / credit of leave.

Sd/-

Deputy Secretary to Government