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Government of Orissa
Finance Department.
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Memo No. 37562(105)/F.,

Bhubaneswar, the 11th August, 1973.

18

To

All Departments of Government
Heads of Departments.

Sub:- Surrender of Earned Leave in lieu of leave salary and allowances.

(Leave Programme)

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Some doubts have been raised in some quarters on the manner of implementation of the instructions issued in Finance Department Resolution No.34642-F dated 21.7.1973 regulating encashment of earned leave. They are clarified below for the guidance of all concerned.

(1) The question has been raised whether it is obligatory on the part of an employee to avail himself of earned leave for a period of not less than 30 days in order that he can be allowed to surrender upto a maximum of 30 days' earned leave in lieu of leave salary and allowances. In all cases coming under para 2(a) of the aforesaid Resolution, an employee has actually to avail himself of earned leave for a period of not less than 30 days, so as to enable him to encash another portion of his earned leave. Where an employee, after being sanctioned earned leave for 30 days or more and allowed to encash another portion of his earned leave, resumes duty without actually availing himself of leave for period of not less than 30 days, he has to refund the encashment value of the surrendered leave in one lump sum immediately on his resumption of duty. These conditions would not, however, apply to cases of refusal of earned leave which would be governed by para 2 (e) of the said Resolution.

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(2) Another question which has been put forward i[s] whether encashment of leave can be made for any period before earned leave is actually availed or before the period for whi[ch] grant of earned leave is refused. The scheme envisages in para 2(a) of the Resolution that the period of leave availed of should, in all cases, precede the period of leave to be surrendered. For instance, an employee applies for earned leav[e] for 30 days and for encashment of leave for another 30 days, with the period commencing from 1.8.73. In such a case, the availing of earned leave should cover the first period of 30 days from 1.8.73 to 30.8.73 and only the second period from 31.8.73 to 29.9.73 can be surrendered. Similar procedure shoul[d] be followed in case of refusal of leave also.

(3) Instances have come to notice in which a large number of employees in some offices have simultaneously appli[ed] for Earned Leave under the impression that the refusal of leav[e] will automatically entitle the applicants concerned to encash leave under para 2(e) of the Resolution. To prevent such wrong impression and to implement the resolution in accordance with the spirit of the concession granted by Government for encashing leave under certain circumstances, the following guidelines are laid down :

Leave programme

(a) As leave cannot be claimed as a matter of right, the Head of Office will be free to sanction leave in accordance with a pre-determined programme for the year and such a programme should be drawn up immediately for the remainder of the current year.

(b) In preparing the leave programme, the Head of Office will take into account the preference

8

of individuals as well as the period that has elapsed since each person has last taken leave. It is only fair that those who had taken leave in the more distant past, should ordinarily be given priority over those who had taken leave in the recent past.

(c) The number of persons that can be on earned leave at one time will naturally be limited to the sanctioned strength of leave reserve in that particular category.

(d) Refusal of leave will be deemed to be in the public interest for the purpose of para 2(c) of the Resolution only when the period and the timing of the leave so refused had been programme earlier in accordance with the guidelines at (a), (b) and (c) above. In all other cases, where leave is refused the facility for encashment will not be available.

(e) When the refusal of leave is deemed to be in the public interest and encashment allowed the leave account will be debited in the same manner as if the leave had been availed of.

SECRETARY TO GOVERNMENT.

Memo No. 37563(77)/F., Dated. 11/8/73

Copy forwarded to the Secretary to Governor/Accountant General Orissa/ Deputy Accountant General Orissa, Puri/ Financial Advisers and Assistant Financial Advisers in the Secretariat/ Accounts Officers attached to the Office of Heads of Departments/ Principal, A.T.S/ Director, Training Coordination/ Principal, S.T.I/ F.A., Finance Deptt/ E.A.O., F.D. for information.

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