

GOVERNMENT OF ORISSA
FINANCE DEPARTMENT

Memo No. 6494 (140) F
CS-II-22/75.

Bhubaneswar, the 18th February, 1975.

To

All Departments of Government / Heads of Departments.

Sub:-

SURRENDER OF EARNED LEAVE IN LIEU OF LEAVE SALARY AND ALLOWANCES.

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The nature and scope of the concession of leave and grant of leave salary in lieu thereof to Government employees has been indicated in the Finance Department Resolution No. 34642 dated the 21st July, '73. Since then clarifications on various points raised in connection with

F.D. Memo No. 37562
dt. 11.8.1973.
F.D. Memo No. 38466
dt. 20.8.1973.
F.D. Memo No. 46916
dt. 3.11.1973.
F.D. Memo No. 3038
dt. 31.1.1974.
F.D. Memo No. CS-II-
48/73-23872
dt. 20.6.1974.

the above concession have been communicated in different letters and Memos as indicated in the margin. Yet references are still being received from different quarters raising doubts over the implementation of the Finance Department Resolution in which the above concession has been granted. On analysis of these references it is found that many of them are due to not proper appreciation of the objective the concession is supposed to fulfil. With a view to help removing any doubt the following clarifications are issued as would help disposing the cases of sanction of this concession as expeditiously as possible.

(a)

To reiterate, the basic consideration for granting the concession is to help Government servants avail leave after a fixed spell of duty, so that they would be refreshed to apply themselves to work with greater vigour and energy. The relevant Resolution should therefore be implemented in a manner as would best help achieving the objective.

(b)

In order that the Government servant is able to avail the concession to suit his needs and at the same time public work does not suffer due to availing the concession, it has been indicated in Finance Department Memo No. 37562 dated the 11th August, 1973 that the Head of the Office should draw up for the year a programme according to which different employees in his office may be granted the concession without the public work being adversely affected. Once the programme is drawn up in accordance with the Guide lines laid down in the said Memo, it is to be followed strictly. Ordinarily, no leave-se programme should be refused. In unusual circumstances when the programmed leave of any employee is refused or allowed in part, the affected employee may be allowed the concession as such refusal of leave will be deemed to be in the public interest for the purpose of Para 2 (c) of the Finance Department Resolution.

referred to above. It is to be noted that if any employee applies for grant of the concession outside the programme for the year and his leave is refused, he will not be entitled to the concession of surrender of leave in lieu of leave salary.

When an employee is granted leave according to the programme, he should be allowed to enjoy such leave without being disturbed. In extraordinary circumstances, when such an employee is recalled from leave to meet certain unforeseen circumstances arising, such an employee would be deemed to have been refused leave in public interest and would be entitled to the benefit of encashment of leave salary.

- (c) Since the objective is to encourage Government employees to avail leave at certain intervals, it is desirable that leave salary for the period of leave actually availed and for the period of leave surrendered is drawn and paid on the date of proceeding on leave or soon thereafter.
- (d) It may so happen that an employee who has been granted the concession fails to report to duty on the expiry of his leave. Again after returning to duty on expiry of the said leave he is forced, after working for a short spell, to proceed on leave. In such circumstances, the benefit of encashment of leave would remain unaffected. Since the employee has availed the leave for the minimum period of 30 days, the basic consideration behind the concession has been fulfilled and therefore the benefit of encashment of leave should be available.
- (e) Doubts have been raised whether the normal rules governing pre-fixing and suffixing holidays to leave and availing joining time on transfer would be affected by the grant of this concession. The answer is in the negative. The sanction of leave under this concession is to be treated as leave under normal leave rules for the above purpose.
- (f) A question has been raised if an employee who dies while availing the leave granted under the concession should be allowed the benefit of encashment of leave. The answer is in the affirmative. The basic consideration behind the grant of the concession namely that the employee should avail leave having been fulfilled, he should be allowed to avail the concession in full. The premature death of the employee will not affect the concession already granted to him at the time of relieving him to proceed on leave to enjoy the concession.
- (g) For the purpose of calculation of leave salary for the period of leave surrendered, the normal rules governing in this regard should be followed. The surrendered leave,

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in other words, would be treated like ordinary leave as admissible under the normal leave rules.

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SECRETARY TO GOVERNMENT.

Memo No.

6495 (240)
/F.,

Dated

18/2/55

Copy forwarded to the Secretary to Government/Accountant General, Orissa, / Deputy Accountant General, Orissa, Puri/ All Financial Advisers and Assistant Financial Advisers in the Secretariat/ All Accounts Officers attached to Heads of Departments/ Principal, Accounts Training School/ Director, Training and Co-ordination/ Principal, Secretariat Training Institute/ All Officers and Branches of Finance Department/ Accounts Section, Finance Department / All Collectors/ All District and Sessions Judges for information and necessary action.

18/2/55
DEPUTY SECRETARY TO GOVERNMENT.

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