

No. CS.II-21/78.25892/F.,

GOVERNMENT OF ORISSA  
FINANCE DEPARTMENT

R E S O L U T I O N

Bhubaneswar, the 24th May, 1978.

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

In Resolution No.34642/F., dated 21st July, 1973 the State Government have extended the facility of encashment of leave once in two years when a Government servant avails of earned leave for a period of 30 days or when the leave applied for is refused in public interest.

2. A review indicates that in a majority of cases the benefit of surrender of leave for purpose of encashment has been sanctioned after refusal of the earned leave applied for by the Government servants. Taking this into consideration, Government have been pleased to decide that application for surrender of earned leave need not necessarily be accompanied by application seeking permission to avail of earned leave for 30 days. Accordingly, Government have been pleased to direct in supersession of existing orders on the subject that Government servants may be allowed to encash earned leave to the extent and subject to the conditions specified below :-

- (a) An employee may be allowed to surrender earned leave upto a maximum of 30 days in lieu of leave salary and allowances for the period of leave surrendered provided that he has not less than 120 days earned leave at his credit, and that a minimum reserve of sixty days earned leave is left in the Leave Account of the employee after encashment of the earned leave.
- (b) The concession of encashment of earned leave shall be allowed once in a Bloc period of 24 months commencing from 1st July, 1973.
- (c) The leave salary and allowance admissible for the leave surrendered shall be equivalent to that which the employee would have received had he actually availed of the leave surrendered.
- (d) Leave salary for the period of surrendered leave shall be paid in full as soon as possible after commencement of the period of the leave surrendered.
- (e) The benefit of surrender of leave shall be admissible to a State Government employee irrespective of whether he holds a post under the State Government or is on deputation to another Government or is in foreign service.

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2 (f) In the case of a Government employee who is on the verge of retirement, the period of leave surrendered shall not exceed the period of duty between the date of expiry of the period of leave surrendered and the date of superannuation. The benefit of surrender of leave shall not, however, be allowed in respect of leave sanctioned as leave preparatory to retirement.

(g) The leave salary and allowances admissible for the leave surrendered shall not be liable to any deduction on account of Provident Fund subscription, insurance premia, house rent, repayment of advances, etc., but shall be liable to deduction of income tax, if the income in the hands of the employee is assessable to such tax.

(h) The authorities empowered to sanction earned leave will be competent to allow the surrender of leave.

(i) To guard against omission in the posting of debit of the leave surrendered in the Leave Account of non-gazetted employees, details of the surrendered leave shall be noted in the Service Book and in the Leave Account at the time of the leave salary is drawn. A certificate to the effect that necessary entries have been made in the Service Book and the Leave Account shall be recorded by the Drawing Officer on the bill in which the leave salary for the surrendered leave is drawn.

3. Past cases already disposed of in accordance with the existing orders on the subject need not be reopened.

4. The requisite notification amending the Orissa Leave Rules ~~xxxx~~ will issue separately.

ORDER:- Ordered that the Resolution be published in the next issue of the Orissa Gazette for general information and copies of the Resolution may be forwarded to all concerned

S. KANUNGO  
SECRETARY TO GOVERNMENT.