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OFFICE MEMORANDUM

Bhubaneswar, the 14 th Nov. 1986.

SUBJECT:- ADMISSIBILITY OF EARNED LEAVE.

As per rule 131 of Orissa Service Code, leave can not be claimed as of right and when the exigencies of public service so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it. Rule 7(1) of Orissa Leave Rules-1966 provides that the Government Servant will cease to earn leave when the Earned Leave due amounts to 180 days.

2. The position has been reviewed by Government in the light of decision made recently by Government of India and the Governor has now been pleased to make following modifications to the above provisions.

3. Earned Leave should not ordinarily be denied to any Government Servant, especially in the last ten years of his service career and the leave sanctioning authorities are, therefore, requested to ensure it.

4. (a) The existing maximum limit of 180 days of accumulation of Earned Leave shall be enhanced to 240 days.

(b) The present ceiling of 180 days for availing the benefit of encashment of unutilized earned leave shall be increased to 240 days in respect of the following categories:-

- (i) retirement on attaining the age of superannuation ;
- (ii) voluntary/premature retirement or retirement on invalidation ;
- (iii) where the services of a Government servant are terminated by notice or by payment of pay and allowances in lieu of notice or otherwise in accordance with the terms and conditions of his appointment ;
- (iv) in the case of termination of re-employments after retirement ;
- (v) cases where the service of a Government servant has been extended, in the interest of public service beyond the date of retirement on superannuation ;
- (vi) in the case of death of a Government servant while in service, to the family of the deceased ;

300 days
vide F.O.M. No. 7351/F
dt. 19.02.03

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- (vii) in the case of leave preparatory to retirement ;
- (viii) in the case of transfer of Govt. servant to an industrial establishment and
- (ix) on absorption of a Govt. Servant in the Public Sector Undertakings.

(c) A Government servant who resigns or quits service shall be entitled to cash equivalent in respect of earned leave at credit on the date of cessation of service, to the extent of half of such leave at his credit, subject to a maximum of 120 days.

5. These orders shall take effect from 1st July, 1986.

6. Formal amendments to the Orissa Service Code and Orissa Leave Rules-1966, will be issued in due course.

R.K. BHUJABAL
SECRETARY TO GOVERNMENT.

Memo No. 55424 (324)/F., Dated:- 14.11.86

Copy forwarded to All Departments of Government/All Heads of Departments/Secretary to Governor/Secretary to C.M./Accountant General (Accounts) Orissa, Bhubaneswar/Accountant General (Audit) Orissa, Bhubaneswar/D.A.G. Orissa, Puri/All F.As and A.F.As in the Secretariat/ All Treasury Officers and Sub-Treasury Officers/ All Collectors/Principal M.I.A.F., Bhubaneswar/Principal, Secretariat Training Institute, Bhubaneswar/Director of Training and Co-ordination for information.

[Signature]
14/11/86
UNDER SECRETARY TO GOVERNMENT.

Memo No. 55425 (100) /F., Dated:- 14.11.86

Copy forwarded to All Officers/Branches (10 copies to Codes Branch) Finance Department for information.

[Signature]
14/11/86
UNDER SECRETARY TO GOVERNMENT.

Lalit/141186.

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50 days
vide F.D.O.M.
No. 7351/Ppt. 19.02.03.

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**FINANCE DEPARTMENT
OFFICE MEMORANDUM**

No.CS-II-32/2002-7351/F,

Bhubaneswar, Dated the 19.02.03

Sub :- *Admissibility of Earned Leave.*

It has been decided by the Government in Finance Department Office Memorandum No.45439/F., dt. 27.09.2002 to enhance the upper limit of encashment of un-utilised Earned Leave from 240 days to 300 days w.e.f. 30.09.2002. In order to implement the above decision of Government, it is felt that the accumulation limit of Earned Leave of 240 days now admissible to a Government servant vide Para -4 (a) of Finance Department Office Memorandum No. 55423/F., 14.11.1986, needs to be enhanced to 300 days.

2. After careful consideration, Government, in modification of Para 4 of Finance Department Office Memorandum No.45439/F., dt. 27.9.2002, have been pleased to decide that the existing maximum limit of accumulation of Earned Leave as fixed in Para-4 (a) of the Finance Department Office Memorandum No. 55423/F., dt. 14.11.86, is enhanced to 300 days. All other conditions in the said O.M. remain unaltered subject to further condition that the maximum limit of 120 days appearing under Para-4 (c) is enhanced to 150 days.

3. This order shall take effect from 1st July, 02.

4. Formal amendment to Orissa Service Code & Orissa Leave Rules 1966 will be issued in due course.

5. In order to make more clear about the above provisions, the following illustration may be taken into account by all concerned.

ILLUSTRATION

The maximum limit of encashment of unutilized E.L. in respect of different categories of cases as enumerated in Para-4 (b) of the F.D.O.M.No. 55423/F., dated 14.11.86 is limited to -

248 days (240 + 8 days from July, 02 to Sept. 02) by 30.09.02

250 days (240 + 10 days from July, 02 to Oct. 02) by 31.10.02

253 days (240 + 13 days from July, 02 to Nov. 02) by 30.11.02

255 days (240 + 15 days from July, 02 to Dec. 02) by 31.12.02

258 days (240 + 18 days from July, 02 to Jan.03) by 31.01.03 and so on.

A. K. Tripathy

PRINCIPAL SECRETARY TO GOVERNMENT