



**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services - Retirement benefits - Encashment of Earned Leave at the credit of Government employees - withholding/withdrawing the benefit of cash payment - Orders - Issued.

FINANCE & PLANNING (FW-FR.I) DEPARTMENT

G.O.Ms.No. 11

Dated: 15-1-1997

Read the following: -

1. G.O.Ms.No. 420, F & P (FR.I) Dept., dt. 3-12-1990.
2. Govt. of India, Minister of Personal, Public Grievances and Pensions Lr.No. 14028/1/96 (Estt. L), dt. 23-7-1996.

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ORDER:

In the reference first cited, orders were issued enhancing the maximum limit of encashment of- Privilege Leave/Earned Leave at the credit of a Government Servant on the date of retirement from 1X0 days to 240 days.

2. Some cases have come to the notice of the Government that employees against whom Departmental/judicial proceedings are pending for the pecuniary loss caused to State Government and the retired employees

are requesting to permit them to encash the Earned Leave at their credit on their retirement on superannuation. The Government have proposed to withhold the concession of encashment of Earned Leave if a Government servant is found responsible for the loss caused to the Government.

3. Since there is no provision existing in the State Leave Rules for withholding the encashment of earned leave amount, or to recover the loss caused to the Government from the encashment of earned leave amount of a retired employee who is found responsible for the loss caused to the Government. The Government of India were addressed to

inform the State Government about the provisions that are available in the Central Civil Services (leave) Rules, 1972 to meet such situations.

4. The Government of India in their reference second read above have informed that there is a provision to withhold the benefit of encashment of earned leave by the Government servants where the Government servants are involved in disciplinary cases and found responsible for the loss caused to the Government under sub-rule (3) rule 39 of the CCS (Leave) Rules, 1972. The said sub-rule is as follows:

"The authority competent to grant leave may withhold whole or part of cash equivalent of earned leave in the case of Government servant who retires from service on attaining the age of retirement while under suspension or while disciplinary or criminal proceedings are pending against him, if in the view of such authority there is a possibility

of some money becoming recoverable from him on conclusion of the proceedings against him. On conclusion of the proceedings, he will become eligible to the amount so withheld after adjustment of Government dues, if any".

5. After careful consideration of the matter, the Government have decided to adopt the aforesaid provision followed by the Government of India in the State also and decided to withhold the encashment of earned leave and to recover the loss caused to the Government by a Government servant who retires from service on superannuation or otherwise, while

disciplinary or criminal proceedings are pending against him.

6. Accordingly the following orders are issued:

"A Government servant who retires from service on attaining the age of superannuation while under suspension or otherwise or when any disciplinary or criminal cases are pending against him. the authority competent to grant leave may withhold whole or part of cash equivalent of earned leave, if in the view of the competent authority there is a

possibility of some money becoming recoverable from him on conclusion ,of the proceedings against him. On conclusion of the proceedings, he will become eligible to the amount so withhold after adjustment of the

Government dues, if any".

7. Necessary amendments to the Fundamental Rules will be issued separately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M. SAHOO

Secretary to Government