

- v) Effective date of maximum accumulation of 300 days of Earned Leave.

Appos to the Fifth pay Revision a number of modifications/amendments in the Statutes/Ordinances etc were considered by the Council in its 61st meeting vide resolution No:AC:61:99:5:1(iv) and subsequently by the Executive Council in its 103rd meeting vide its resolution No:EC:103:99:5:1(iii). These amendments were referred to the Ministry and on receipt of the Visitors assent vide Ministry's letter No:F.3-30/99/Desk(U) of 2nd June,2000, the same have now been notified.

One among the above modifications/amendments was of Clause 5(1) (ii) of Ordinance OE-6 on Earned Leave where the Councils have decided that Earned Leave at the credit of a teacher shall not accumulate beyond 300 days with effect from 1.1.1996. But, it has now come to the notice from the Government of India letter No:14028/7/97-Estt-(L) of 7th October 1997 placed as Annexure-'A' that the aforesaid maximum limit for accumulation of 300 days of Earned Leave is effective from 1.7.1996.

It may be noted that the various provisions of the University's Ordinances etc have to be normally in consonance with the Government of India's provisions/Orders on the relevant subjects.

The above matter was placed before the Academic Council.in its 64th meeting wherein the Council resolved to approved the same.

The matter is placed before the Council for consideration.

G.L. Dept. of Per & Trg ,O.M.No. 14028/7/97-Estt.(L).

Dated 7-10-1997

Recommendations of the Fifth Central Pay Commission- Decisions relating to Enhancement of the ceiling on accumulation and encashment of Earned Leave in respect of Central Government employees.

The undersigned is directed to say that consequent upon the decisions taken by the Government on the recommendations of the Fifth Central Pay Commission relating to leave, the President is pleased to decide that the existing provisions of the Central Civil Services (Leave) Rules, 1972, may be modified as follows in respect of civilian employees of the Central Government :-

- (a) The existing ceiling of 240 days on accumulation of earned leave provided in Rules 26 & 28 ibid shall be enhanced to 300 days;
 - (b) The existing ceiling of 240 days for availing of the benefit of encashment of unutilized earned leave shall be increased to 300 days in respect of the following categories:
 - (i) retirement on attaining the age of superannuation (Rule 39 (2));
 - (ii) cases where the service of a Government servant has been extended, in the interest of public service, beyond the date of retirement on superannuation (Rule 39 (4));
 - (iii) voluntary/premature retirement (Rule 39(5));
 - (iv) 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 (Rule 39(6) (a) (i));
 - (v) in the case of termination of re-employment after retirement (Rule 39(6) (a) (iii));
 - (vi) in the case of death of a Government servant, while in service to the family of the deceased (Rule 39(4));
 - (vii) in the case of leave preparatory to retirement (sub-rule (1) of Rule 38);
 - (viii) in the case of transfer of a Government servant to an industrial establishment (Rule 6); and
 - (ix) on absorption of a Government servant in the Central Public Sector Undertaking/autonomous body wholly or substantially owned or controlled by the Central/State Government (Rule 39-D);
 - (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 150 days (Rule 39 (6) (a) (ii))
2. The above orders shall take effect from 1st July, 1997.
 3. The Fifth Pay Commission has also recommended that all employees may be permitted to encash 10 days earned leave at the time of availing of Leave Travel Concessions subject to the conditions that :-
 - (a) the total leave so encashed during the entire career does not exceed 60 days in the aggregate.

- (b) earned leave of at least an equivalent duration is also availed of simultaneously by the employee.
- (c) balance of at least 30 days of earned leave is still available to the credit of the employees after taking into account the period of encashment as well as leave; and
- (b) the period of leave encashed shall be deducted from the quantum of leave that can be normally encashed by him at the time of superannuation.

This recommendation has also been accepted by the Government and, accordingly, encashment of earned leave may be allowed by the Ministries/Departments subject to the prescribed conditions. The total encashment of Earned Leave allowed to a Government servant along with LTC while in service and as per the provisions of the Central Civil Services (Leave) Rules, 1972, should not exceed the maximum limit/ceiling of 300 days or 150 days, as the case may be

- 4. The orders in paragraph 3 above shall take effect from the date of issue.
- 5. The orders as per paragraphs 1 to 4 above shall also apply to Government servants serving in Vacation Departments
- 6. Formal amendments to the Central Civil Services (Leave) Rules, 1972, are being issued separately.
- 7. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders issue in consultation with the Comptroller and Auditor General of India.

(iv) 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 (Rule 38(d) (a) (i));

(v) in the case of termination of re-employment after retirement (Rule 39(d) (e) (iii));

(vi) in the case of death of a Government servant while in service to the family of the deceased (Rule 39(A));

(vii) in the case of leave preparatory to retirement (sub-rule (i) of Rule 38);

(viii) in the case of transfer of a Government servant to an industrial establishment (Rule 6); and

(ix) on abolition of a Government servant in the Central Public Sector Undertaking/autonomous body wholly or substantially owned or controlled by the Central Government (Rule 30-D);

(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 150 days (Rule 39 (d) (a) (ii)).

2. The above orders shall take effect from 1st July, 1977.

3. The Fifth Pay Commission has also recommended that all employees may be permitted to encash 10 days earned leave at the time of availing of leave travel Concessions subject to the conditions that:-

(a) the total leave so encashed during the entire career does not exceed 60 days in the aggregate.

3. The duties of the higher post shall be performed in addition to the normal duties.
4. Such staff shall be paid the salary of the post that they are officiating.
5. This decision shall come into effect from 1.1.2001 and past cases shall be governed as per the existing guidelines of the Council.

(iv) Qualifications of University teachers.

EC:108:2000:6:6:(iv): The Council considered the qualifications recommended for University Teachers by the UGC vide D.O. No.F.3-1/2000/(PS) of 4th April, 2000 and RESOLVED to accept the same.

(v) Effective date of maximum accumulation of 300 days of Earned Leave.

EC:108:2000:6:6:(v): The Council considered the effective date of maximum accumulation of 300 days of Earned Leave and RESOLVED that the effective date shall be 1.7.1996.

(vi) Recruitment Rules on Grant of Benefit of added years of service under Rule 30 of CCS pension Rules.

EC:108:2000:6:6:(vi): The Council considered the recommendations of the Committee appointed by it for grant of benefit of added years of service and RESOLVED to approve the same.

(vii) Draft Recruitment / Service Rules in respect of the Group B,C, & D of Non-Teaching Staff of the University.

EC:108:2000:6:6:(vii): The Council considered the draft recruitment / service rules in respect of the Group B,C and D Non-Teaching staff of the University and RESOLVED to approve the same with modifications as indicated in Annexure 'C'.

(viii) Pay Anomaly in respect of Non-Teaching Staff of the University.