

No.13026 /1/2010-Estt. (Leave)
Government of India
Ministry of Personnel, P.G. and Pensions
(Department of Personnel & Training)

New Delhi, the 7th February, 2011

Office Memorandum

Sub: Rate of calculating entitlement to Earned Leave (E.L) and Half Pay Leave (HPL).

The undersigned is directed to say that matter regarding entitlement of a Government servant, who dies while in service, to Earned Leave under Rule 27(2)(b) and Half Pay Leave Rule 29 (2) (c) of the CCS (Leave) Rules 1972 has been under consideration of this Department.

2. At present rule 27 (2) (b) says 'when a Government servant is removed or dismissed from service or dies while in service, credit is allowed at the rate of 2½ days per completed calendar month up to the end of the calendar month preceding the calendar month in which he is removed or dismissed from service or dies in service.'

Similarly Rule 29 (c) says 'When a Government servant is removed or dismissed from service or dies while in service, credit of half pay leave shall be allowed at the rate of 5/3 days per completed calendar month up to the end of the calendar month preceding the calendar month in which he is removed or dismissed from service or dies in service.'

3. These rules adversely affect cases where the death of a serving Government Servant occurs on the last day of the month as the day of death is treated as his last working day. Clause (b) of sub rule (2) of rule 27 and clause (c) of sub-rule (2) of rule 29 of the CCS Leave Rules is modified as under :-

Rule 27 (2) (b) 'When a Government servant is removed or dismissed from service, credit is allowed at the rate of 2½ days per completed calendar month up to the end of the calendar month preceding the calendar month in which he is removed or dismissed from service. When a Government Servant dies, while in service, credit of Earned Leave shall be allowed at the rate of 2½ days per completed month of service up to the date of death of the Government Servant.'