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No. P. 14028/11/81-1stt (L)
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya
Department of Personnel and Administrative Reforms

New Delhi, the 8-3-82

OFFICE MEMORANDUM

Sub: - Cash equivalent of leave salary payment to be made in one lumpsum as a one time settlement entitlement to increase in DA/ADA ordered with retrospective effect.

The undersigned is directed to refer to rule 39, 39A and 39B of the CCS(Leave) Rules, 1972 wherein it has been provided that the cash equivalent of leave salary which becomes payable on retirement/at the time of finally quitting the service is to be paid in one lumpsum as one time settlement.

1. A number of references have been received in this department seeking clarification as to whether any increase in DA/ADA sanctioned by the Govt. with retrospective effect will also be admissible to those Govt. servants, who have already been paid leave salary in one lumpsum as a one time settlement. The words "payable in one lumpsum as one time settlement" occurring in the Rules should or need not be taken to mean that if any increase in Dearness Allowance/instalment of DA is allowed after the final settlement, but with retrospective effect, it should be denied to the employee who was in service on the date from which such increase was made applicable. It is hereby clarified that if any increase in DA/ADA is sanctioned by the Govt. with retrospective effect and the Govt. servant concerned was eligible for the same on the date of his retirement/quitting service then the difference between the leave salary already paid and leave salary payable according to the new rates will be admissible to the Govt. servant concerned, notwithstanding the fact that one time settlement had already been made, prior to the date of issue of orders reg. increase in DA/ADA etc.

(A.N. Sawhney)

Under Secretary to the Govt. of India

All Ministries/Dept. of the Govt. of India etc. etc.

Copy also forward to

As per list attached.

1. Comptroller and Auditor General of India and all Offices under his control.
2. C.G.A.
3. Controller of Accounts, Ministry of Finance.
4. Union Public Service Commission, Supreme Court, Election Commission, Lok Sabha Secretariat, Rajya Sabha Secretariat, Cabinet Secretariat, Central Vigilance Commission, President's Secretariat, Vice-President's Secretariat, Prime Minister's Office, Planning Commission, Finance Commission.
5. Addl. Secretary (Union Territories), Ministry of Home Affairs.
6. A.I.S. Division, Department of Personnel & A.R.
7. J.C.A. Section, Department of Personnel & A.R.
8. Shri D.D. Bhargava, Senior Personnel & Executive Officer, Lok Sabha Secretariat.
9. All State Governments and Union Territories.
10. Governors of all States/Lt. Governors of Union Territories.
11. Commissioner, Municipal Corporation of Delhi.
12. Secretary, National Council (Staff Side), 9 Ashok Road.
13. All members of Staff Side of the National Council of J.C.M.

(A.N. Sawhney)

Under Secretary to the Govt. of India.