

No. 14015/2/97-Estt.(L)  
Government of India  
Ministry of Personnel, Public Grievances and Pensions  
(Department of Personnel & Training)

.....

New Delhi, the 31st December, 1997.

OFFICE MEMORANDUM

Subject:- Recommendation of the Fifth Central Pay Commission regarding conversion/commutation of one kind of leave into another.

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The undersigned is directed to say that under the provisions of Rule 10 of the CCS(Leave) Rules, 1972, the authority which granted leave to a Government Servant may commute it retrospectively into leave of a different kind which was due and admissible at the time the leave was granted, but the Government Servant cannot claim such commutation as a matter of right.

2. The Fifth Central Pay Commission vide para 117.10 of its Report has recommended that conversion of leave into a different kind of leave may be permitted only if it is applied for within a period of 30 days from the expiry of the spell of leave actually availed of by an employee and no discretion should be allowed to the leave sanctioning authority in this regard.

3. The said recommendation of the Fifth Pay Commission has been accepted by the Government and the President is pleased to decide that the application of a Government servant for commutation of one kind of leave into another may be considered as per the provisions of Rule 10 of CCS(Leave) Rules, 1972, and any other Rule as applicable, only if the same has been received by the leave sanctioning authority, or any other authority designated in this behalf, within a period of 30 days of the concerned Government servant joining his duties on the expiry of the relevant spell of leave availed of by him/her.

4. These Orders take effect from the date of issue.

5. Formal amendment to Rule 10 of the Central Civil Services(Leave) Rules,1972 is being issued separately.

6. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these Orders issue in consultation with the Comptroller & Auditor-General of India.

7. Hindi version is enclosed.



(B.GANGAR)

UNDER SECRETARY TO THE GOVT. OF INDIA

To

All Ministries/Departments of the Government of India etc. etc.

No.14015/2/97-Hstt(L) Dated 31st December,1997.

Copy forwarded to :-

1. The Comptroller & Auditor General of India and all States under his control.(with 400 spare copies).
2. Controller General of Accounts/Controller of Accounts, Ministry of Finance.
3. Supreme Court of India.
4. Secretaries to Union Public Service Commission/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.
5. Department of Personnel & Training (AIS Division)/JCA Section/Admn.Section/Pay Implementation Cell.
6. Additional Secretary(Union Territories), Ministry of Home Affairs.
7. All State Governments and Union Territories.

8. Governors of all States/Lt. Governors of Union Territories.
9. Secretary, National Council (Staff Side),  
13-C, Feroze Shah Road, New Delhi.
10. All Members of the Staff Side of the National Council of JCM/Departmental Council.
11. All officers/Sections of the Department of Personnel and Training/Department of Administrative Reforms & Public Grievances/Department of Pension & Pensioners Welfare.
12. Ministry of Finance, Department of Expenditure vide their U.O.No. 969/E V/97 dated 10.11.97.
13. Department of Expenditure (Implementation Cell), Trikot-1, Bhikaji Kama Place, R.K. Puram, New Delhi-I.
14. 3000 Spare Copies.

  
(B. GANGAR)

UNDER SECRETARY TO THE GOVT. OF INDIA