

Eastern Railway
(Personnel Department)

Sl.No.85/2016

No.E.511/0/Pt.I

Kolkata, 12/07/2016

All Concerned

Sub: Grant of benefit of increment falling due during leave period in the case of a Government Servant who dies while on leave.

The following copy of Board's letter no. 2016/F(E)III/2(1)/1 dated 30/06/2016 (RBENo.78/2016) along with DOP&T's O.M.No.16/13/88-Estt.(Pay-I) dated 16/02/1989 is forwarded for information and guidance.

DA: As mentioned.

(S.Chakrobarty)
Sr.Personnel Officer/BGB
For Chief Personnel Officer

Copy of Board's letter No. 2016/F(E)III/2(1)/1 dated 30/06/2016 (RBE No.78/2016) is addressed to General Managers (P), All Zonal Railways and others.

Sub: Grant of benefit of increment falling due during leave period in the case of a Government Servant who dies while on leave.

A copy of department of Personnel and Training (DOP&T)'s O.M.N. 16/13/88-Estt.(Pay-I) dated 16/02/1989 on the above subject is enclosed for information and compliance. These instructions shall apply mutatis mutandis on the Railways also. Rule 40, 39-A of CCS (Leave) Rules, 1972, mentioned in the O.M. ibid corresponds to Rule 544, 549 & 549-A respectively of Indian Railways establishment Code Vol.I (IREC Vol.I)

2. The order shall take effect from the date of issue of the letter.

Sd/-
(Vaidehi Gopal)
Joint Director, Finance (Estt.)
Railway Board

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No.16/13/88-Estt.(Pay-I) dated 16 February, 1989

No.16/13/88-Estt. (Pay-I) dated 16 February, 1989

Government of India

Ministry of Personnel, Public Grievances & Pensions

Department of Personnel and Training

New Delhi, the 16 February, 1989

OFFICE MEMORANDUM

Subject: Grant of benefit of increment falling due during leave period in the case of a Government Servant who dies while on leave.

The undersigned is directed to say that according to Rule 40 of the CCS (Leave) Rules, 1972, a Govt. Servant who proceeds on earned leave or commuted leave is entitled to leave salary equal to commuted leave. Similarly, a Govt. servant on half pay leave or on leave not due is entitled to leave salary equal to half the amount specified above. Consequently, if the normal date of increment of a Govt. servant falls during a period when he remains on earned leave/commuted leave/half pay leave/leave not due, the benefit of such increment is actually paid to him only from the date he joins duty on expiry of leave though the actual date of next increment remains unaffected. The staff side of the JCM, National Council have proposed that if in such cases the Govt. servant concerned while is on leave dies without joining duty, the increment which fell due from a date falling within the leave period may be taken into account for the purpose of calculating leave salary etc.

2. After careful consideration of the proposal of the staff side JCM, National Council and having regard to relevant factors, the President is pleased to decide in the case of a Railway servant who dies while on any kind of leave for which leave salary is payable, a lump-sum ex-gratia payment in addition to the notional entitlements under leave rules, may be allowed to the member of the family as specified in Rule 39-C. The ex-gratia payment shall be equivalent to the difference between the amount of leave salary as well as cash equivalent of leave salary as admissible as per rules and Rule 39-A of C.C.S.(Leave) Rules, 1972 and the amount of leave salary as well as cash equivalent of leave salary which would have been admissible if the benefit of the increment falling due during currency of leave period uptill date of death was allowed from its due date without waiting for re-joining duty by the Govt. servant. The Head of the Department may issue the necessary order sanctioning the amount of ex-gratia in each individual case.

3. These order will take effect from the first of the month in which these are issued.

4. In so far as persons serving in the Indian Audit and Accounts Department are concerned, this issues after consultation with the Comptroller & Auditor General India.

Sd/-

(S.Hariharan)

Under Secretary to the Government of India