

GOVERNMENT OF MAHARASHTRA

No. AEO-1098/C.R.390/98/X,
General Administration Department
Mantralaya, Mumbai - 400 032.
Date:- 1st January, 1999,

To,

All Indian Administrative Service Officers,
Maharashtra Cadre.

Subject:- Amendments to the All India Services (Leave) Rules, 1955.

Reference:- Government of India, Department of Personnel & Training
Notification No.
1]11019/7193-AIS (III), dated 22nd December, 1993.
2]11019/6197-AIS (III), dated 3rd March, 1998.
3]11019/6197-AIS (III), dated 9th March, 1998.

Sir,

The all India Services (Leave) Rules, 1955 have been amended by Government of India vide above referred notifications.

The gist of these amendments is enclosed herewith for information & necessary action.

Yours faithfully,


(M. S. Pawar)

Under Secretary to the
Government of Maharashtra.

Encl: As Above.

Copy for information & necessary action:-

1. The Accountant General (I), (A&E), Mumbai,
2. The Accountant General (I), (A), Mumbai,
3. The Accountant General (II), (A&E), Nagpur,
4. The Accountant General (II), (A), Nagpur,
5. Pay & Accounts Officer, Mumbai,
6. Resident Audit Officer, Mumbai,
7. All District Treasury Officers,
8. All Departments of Mantralaya,
9. All Divisional Commissioners,
10. All Collectors,
11. All Chief Executive Officers, Zilla Parishad,
12. Home Department/Pol-1, IPS Cell,
13. Revenue & Forest Department/F-1, IFS Cell, With a request to bring these amendments to the notice of all IPS/IFS Officers, of Maharashtra State Cadre.
14. Director General of Police, Mumbai,
15. Chief Conservator of Forests, Nagpur,
16. All Public Undertakings of the State Government,
17. The Accounts Officer, General Administration Department/Desk 9-A,
18. General Administration Department/Desk-IX, IX-A, XIX & XXVI,
19. Select File.

AMMENDMENTS TO A.I.S. (LEAVE) RULES, 1955

Sr. No.	Rule No.	Amended version
1	10 (1) (C)	The earned leave at the credit of a member of the service at the close of a half year shall be carried forward to the next half year subject to the condition that the earned leave so carried forward plus the credit for that half year shall not exceed 300 days.
2	11(1)	<p>Subject to the provisions of rule 9 and sub-rule (2) of this rule, the maximum earned leave that can be granted to a member of the service at a time shall be 120 days.</p> <p>Provided that earned leave granted as preparatory to retirement shall be subject to a maximum of 300 days.</p>
3	18 (1)	Maternity Leave may be granted to a women member of the service with less than two surviving children on full pay upto a period of 135 days from the date of its commencement. During such period, she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.
4	18 (B)	<p><u>Paternity Leave:-</u> a male member of the service with less than two surviving children may be granted paternity leave for a period not exceeding fifteen days during the confinement of his wife.</p> <p>Provided that, notwithstanding anything contained in rule 3, paternity Leave under this rule shall not ordinarily be refused.</p>
5	20 (A)	<u>Payment of cash equivalent of leave salary in case of retirement or death</u>
	20 (A) (1)	Where a member of the service retires from the service whether on attaining the age of super annuation or under sub-rule (1) of Rule 15 or sub- rule (2), (2A) or (3) of Rule 16, of the All India Services (Death cum Retirement Benefits) Rules, 1958, or dies, the Government shall suo-moto sanction to him or his family, as the case may be cash equivalent of leave salary in respect of the earned leave (Subject to maximum of 300 days including the no of days of earned leave in respect of which encashment has been made under Rule 20 (C) and half pay leave standing to his credit on the date on which he ceases to be an member of the service and pay the same in lum-sum as a one time settlement.

(2) The cash equivalent of leave salary payable to a member of the service under sub-rule (1) shall also include Dearness Allowance but shall not include any other allowances.

(3) The cash equivalent of leave salary for earned leave payable under sub - rule (1) shall be calculated as follows:-

Cash Payment in lieu of earned leave component = Pay admissible on the date of retirement/death

Dearness Allowance admissible there on	X	No. of days of unutilised earned leave at credit upto a maximum of 300 days.
30		

(4) The leave salary payable, for the Half Pay Leave component under sub-rule (1) shall be calculated as follows:-

Cash Payment in lieu of Half Pay Leave component = Half Pay Leave Salary on the date of retirement/death (plus) Dearness Allowance admissible - (minus) pension, pensions equivalent of gratuity and reversion pension if D.A. is admissible on H.P.L.

30	X	No. of days Half Pay Leave due

Provided that if as per such calculation of cash equivalent of Half Pay Leave at credit, an amount becomes due from a member of the service, no recovery shall be affected and no amount shall be deemed to be due from him to the Government for the purpose of this rule.

(a) A member of the service who has been permitted by the State Government to voluntarily retire from service while under suspension or who is retired by the Central Government in public interest while under suspension shall be paid cash equivalent of leave salary under sub-rule

		(1) in respect of the period of leave at his credit on the date of his retirement from service provided that in the opinion of the authority competent to order reinstatement the members of the service has been fully exonerated and the suspension was wholly unjustified.
6	20 (B)	<p><u>Payment of cash equivalent of leave salary to a member of the service who resigns from service:-</u></p> <p>The Government shall suo-moto sanction to a member of the service who resigns from the service the cash equivalent of leave salary in respect of earned leave at his 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 including the number of days of earned leave in respect of which encashment has been made under Rule 20 (C)</p>
7	20 (C)	<p><u>Encashment of earned leave at the time of availing leave Travel Concession:-</u></p> <p>(1) A member of the service may be sanctioned encashment of ten days of earned leave out of the total earned leave at his credit while availing a leave travel concession if -</p> <ul style="list-style-type: none"> (i) The total earned leave encashed under this rule during the entire service of such member does not exceed sixty days; (ii) Such member of service avails himself of earned leave for a period at least equivalent to the period for which encashment is availed of; (iii) A balance of at least thirty days, earned leave remains at the credit of the member of the service after availing of the earned leave during leave travel concession. <p>(2) The earned leave encashed under this rule shall be deducted from the total earned leave encashable by a member of the service at the time of superannuation, resignation or death as the case may be.</p> <p>(3) The amount admissible in case of encashment of earned leave under sub-rule (1) shall be equal to the corresponding leave salary.</p>