

Government of Jammu & Kashmir
Office of the Financial Commissioner (Revenue) J&K

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Subject: Cash in lieu of Leave Salary – Instructions thereof.

Circular No.: 01- FC (Revenue) 2024

Dated: 25.07.2024

1. The attention of all the Offices of Revenue Department is invited towards the provision of Rule 37(v) of Jammu and Kashmir Civil Services (Leave) Rules, 1979 (amended from time to time), wherein cash equivalent of leave salary in respect of period of earned leave at his credit is paid to the retired/deceased official in one lump sum as a one-time settlement. The Rule 37 is as follows:

“ The authority competent to grant leave may withhold whole or part of cash equivalent of earned leave in the case of a Government servant who retires from service on attaining the age of retirement while under suspension or while disciplinary or criminal proceedings are pending against him, if in view of such authority there is possibility of some money becoming recoverable from him on conclusion of proceedings against him on conclusion of proceedings, he will become eligible to the amount so withheld, after adjustment of Government dues, if any.”

2. It may be noted that the rule requires that the same be withheld in case of the concerned is under suspension or while disciplinary or criminal proceedings are pending against him.

3. Despite clear-cut instructions and clarifications from time to time made by this Office, it has been observed that the claims are submitted to this office without proper scrutiny and are often not in accordance with the relevant rules, thereby resulting in unavoidable delay in sanctioning the same.

4. While emphasizing the observance to the rules and to ensure timely disposal, it is urged upon all concerned to submit the cases duly examined as per below mentioned directions:

- I. The concerned authority shall certify that there is no RDA/disciplinary action pending against the retired/retiring official in whose favour requisition of Leave Salary has been made to this Office.
- II. Leave sanction order (Cash-in-Lieu of Leave Salary) in favour of retired/deceased employees shall be appended with the case.
- III. The amount of leave salary of the retired/deceased employees shall be calculated as per the D.A at the time of retirement/death of the official and no assumptions shall be made.

- IV. Retirement notification should be issued as per Rule 285 of J&K Civil Services Regulations, 1956 i.e. at the start of calendar year who are due to retire within the next 24 to 30 months of the date of retirement.
- V. Sanction should be accorded at least a month before of retirement the requisition of funds should be submitted in the monthly statement by the DDO.
- VI. In case of death, all dues should be settled within a month of such an untoward event.


Sd/-
Shaleen Kabra(IAS)
Financial Commissioner (Revenue), J&K.

No: FCR-BUD/29/2022-06 (173168)

Dated:25.07.2024

Copy to the:

1. Accountant General J&K, Jammu/Srinagar.
2. Secretary to Government Revenue Department, J&K.
3. Divisional Commissioner, Jammu/Kashmir.
4. Director General, Accounts & Treasuries, Finance Department, J&K.
5. Commissioner, Survey & Land Records, J&K.
6. Deputy Commissioner, - (All).
7. Regional Director, Survey & Land Records
8. Additional Deputy Commissioner, - (All).
9. Director, (P&S) Financial Commissioner (Revenue), J&K.
10. Assistant Commissioner Nazool, Jammu/Srinagar
11. SDM/ADO- (All).
12. Principal, Revenue Training Institute, Jammu/Srinagar.
13. Collector Agrarian Reforms - (All).
14. Tehsildar Territorial/Consolidation, - (All).
15. Treasury Officer Concerned.
16. In charge website.
17. Nazir, Main Office.
18. Office Order file.


25.07.24.
Dr. Priya Badyal
Chief Accounts Officer
Financial Commissioner (Revenue), J&K.