

SOUTH EASTERN RAILWAY

Office of the
Chief Personnel Officer,
Garden Reach, Kolkata-43.

Estt.Srl.No. 99 /2016

R.B.E.No. 78/2016

No. SER/P-HQ/Ruling/O/911

Dated 26/7/16

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.

Railway Board's letter No.2016/F(E)III/2(1)/1 dated 30-06-2016 (RBE No.78/2016) is forwarded for information, guidance and necessary action.

Encl: as above.


(B.N.Soren)

Dy.Chief Personnel Officer (I/R),
for Chief Personnel Officer.

Railway Bd's letter No. 2016/F(E)III/2(1)/1 dated 30-06-2016 (RBE No.78/2016) is as under:-

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. No.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 & 39-C 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).

These orders shall take effect from the date of issue of the letter.

Copy of Office Memorandum No.16/13/88-Estt. (Pay-I) dated 16-02-1989 from Under Secretary to the Government of India, Ministry of Personnel, Public Grievances & Pensions, Department of Personnel and Training, New Delhi, is as under:-

Sub: 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 the pay drawn immediately before proceeding on earned leave or commuted leave. Similarly, a Government 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 Government servant concerned who 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 all relevant factors, the President is pleased to decide that in the case of a Govt. 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 normal 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 admissible as per rules and 39A of C.C.S. (Leave) Rules, 1972 and the amount of leave salary as well as cash equivalent of leave salary which would have become admissible if the benefit of the increment falling due during currency of leave period upto 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 orders will take effect from the first of the month on 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 of India.
