

GOVERNMENT OF TAMIL NADU

Home (Courts-I) Department  
Secretariat, Madras - 9.

Lr.No.17885/Cts..I/93-7 Dated 17.01.1994.

From

Thiru B.Patnasabapathy B.A.,  
Joint Secretary to Government.

To

The Accountant General,  
Tamil Nadu,  
Madras - 18 (w.e.)

Sir,

Sub: Judicial Department - Earned Leave to  
Judicial Officers - Availed vacation as  
available to Teachers - certain clari-  
fications - clarified.

Ref: 1. G.O.Ms.No.61, Home (Cts.I) Department,  
Dated 11.1.93.

2. Your Letter No.GAD II/IV/687 dated  
16.2.1993.

I am to state that the clarification sought for  
in the letter second cited in connection with sanction of  
Earned Leave to Judicial Officers of the vacation side in  
the Judicial Department has since been clarified as  
under:-

(i) The formula for calculation of the credit to  
leave account for one year of duty.

THE FORMULA FOR CALCULATION OF EARNED LEAVE IN VACATION SIDE:

(In the case of Judicial Officers, eligible for Earned leave  
at 1/11 in the non-vacation side).

Number of Working days spent on duty

15

In the case of Judicial Officers, eligible for Earned Leave  
at 1/22 in the non-vacation side):

...2/-

$1/2 \times \text{Number of working days spent on duty}$

15

(OR)

$\text{Number of Working days spent on duty}$

30

Number of working days on duty excludes all holidays (i.e. weekly holidays, Government Holidays, Dasara holidays, Christmas Holidays, Summer vacation) and leave period (except Casual Leave)

(ii) The calculation of leave for those Judicial Officers who are transferred from vacation department to non-vacation department and Vice versa.

The period of duty in vacation and non-vacation side can be calculated as follows:-

Non-Vacation Side:

As applicable to Government Servants under Fundamental Rule at the rate of  $1/11$  or  $1/22$  of total number of days of duty.

Vacation Side:

Leave can be calculated at  $1/15$  or  $1/30$  of total number of working days spent on duty.

(iii) The calculation of leave in respect of those Officers who are transferred in the middle of Vacation from vacation to non-vacation department/non-vacation to vacation department.

Earned Leave may be calculated at  $1/11$  or  $1/22$  of the number of days of duty or at  $1/15$  or  $1/30$  of the number of working days spent on duty as the case may be based on the formula as specified in items (i) and (ii) above.

(iv) The calculation of leave for those Officers who are appointed temporarily/direct recruits in the cadre of Sub Judge and District Judges.

The formula and procedure indicated in items (i) to (iii) would be applicable to direct recruits in the cadre of Sub Judge and District Judges also.

(v) Clarification whether the Dasara and Christmas holidays, during which the High Court is closed may also have to be considered as short vacations for calculation of the duty period.



Dasara and Christmas holidays along with other Government holidays and Summer Vacation in the duty period would not be reckoned for calculation of Earned Leave in respect of Officers on the vacation side.

2. An Illustration for this purpose is also enclosed as required.

3. This letter issues with the concurrence of the Finance Department vide its U.O. No 119463/Home 2/93-1 Dated 10.1.1994.

Yours faithfully,

Sd/- X X X X X X X X  
For Joint Secretary to Government.

### ILLUSTRATION

A Judicial Magistrate is transferred as District Munsif with effect from 28.1.1993 F.N. and joint duty as District Munsif on 1.2.93. He avails one month medical leave from 4.8.93 to 2.9.93 and rejoins duty on 3.9.93. He avails three days casual Leave on 3.4.1993, 6.9.93 and 7.9.93. Again he is transferred to a post of Judicial Magistrate with effect from 16.12.1993 f.n. and joins duty on 20.12.93. The Earned Leave is calculated as follows:-  
(Yearly calendar indicating dates of holidays is prepared in advance every year)

#### Total Number of days:

From 28.1.93 to 15.12.93	: 322
(-) Medical Leave	: 30
	<u>292</u>

(-) Number of days in summer vacation, Dasara and Christmas during the period:	45
(Summer Vacation	: 40
Dasara	: 5
Christmas	: 0
<u>Total</u>	<u>45 days</u>

247

(-) Number of weekly and other Government Holidays intervened in the period excluding vacation and leave	88
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Weekly holidays	.. 81
Other Government Holidays	.. 7
<u>Total</u>	<u>88</u>

159

Total number of working days spent on duty : 139

(If he is permanent and eligible for Earned Leave at 1/11 in non-vacation side)

Number of eligible days of Earned Leave

= Total number of working days on duty

15

=  $139/15 = 10.6$  days

Rounded to 10 days

(If he is temporary and eligible for Earned Leave at 1/22 in non-vacation side).

No. of eligible days of Earned Leave

= (Total number of days in duty

$1/2 \times \frac{139}{15}$

15

=  $1/2 \times \frac{139}{15} = \frac{139}{30} = 5.3$  days

Rounded to 5 days

Earned Leave on the non-vacation side shall be calculated as eligible under Fundamental Rule at the rate of 1/11 or 1/22 as the case may be, as calculated to other Government Servants.

Sd/- B. RAJHASABAPATHY  
Joint Secretary to Government.

/true copy/

Sd/- G. Kannapiran,  
Section Officer (24.1.94)

R.O.C.No.802/94 B.2

Copy communicated

Sd/- . . . . .  
ADMINISTRATIVE OFFICER(A.D.)

High Comm

Member.