

R.O.C.No.4959/2019/C2

P.Dis.No. 16 /2019

Copy of G.O.(Ms) No.166, Personnel and Administrative Reforms (FR-II) Department, dated 03.12.2018, regarding incorporating the "Surrender of Earned Leave" as Rule 7A, amendment issued, is communicated for information and taking necessary action.

HIGH COURT, MADRAS.

DATED: 29.01.2019.

R. Sumathy 29.1.19.

SUB ASST. REGISTRAR (ADMN.II)

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To

- 01.All the Registrars, High Court, Madras & Madurai Bench of Madras High Court, Madurai.
- 02.All the Principal District Judges.
- 03.All the Chief Judicial Magistrates.
- 04.The Principal Judge, City Civil Court, Chennai.
- 05.The Chief Judge, Court of Small Causes, Chennai.
- 06.The Administrator General & Official Trustee of Tamil Nadu, Chennai.
- 07.The Director, Tamil Nadu Judicial Academy, No.30(95), Malligai, P.S.K.R. Salai, R.A. Puram, Chennai -28.
- 08.The Chief Metropolitan Magistrate, Egmore, Chennai.
- 09.The Presiding Officers of Labour Courts, Chennai, Madurai, Coimbatore, Tirunelveli, Tiruchirappalli, Salem, Vellore and Cuddalore.
- 10.The Presiding Officer, Industrial Tribunal, Chennai.
- 11.The Principal Judge, Family Court, Chennai.
- 12.The Judge, Family Court, Madurai, Coimbatore, Salem & Pudukkottai.
- 13.The Presiding Officer, Special Court for EC & NDPS Act Cases, Chennai, Coimbatore, Salem, Madurai, Thanjavur & Pudukkottai.
- 14.The Sessions Judge, Spl Court for Bomb Blast Cases, Chennai @ Poonamallee & Coimbatore.
- 15.The Special Judge, Special Court under TNPID Act, Chennai - 104.
- 16.The City Government Pleader, City Civil Court Buildings, Chennai.
- 17.The Sessions Judge, Mahalir Neethimandran, Chennai, Cuddalore, Coimbatore, Madurai, Perambalur, Salem, Tirunelveli and Pudukkottai.

Copy to:-

- 01.The Section Officers, "B" Section, Estt. And Bills Section, High Court, Madras and Madurai Bench of Madras High Court, Madurai.
- 02.The Librarian, High Court, Madras and Madurai Bench of Madras High Court, Madurai.
- 03.The Record Keeper, A.D. Records, High Court, Madras & Madurai Bench of Madras High Court, Madurai.

Spare: + 10 Copies.



**ABSTRACT**

**FUNDAMENTAL RULES – Tamil Nadu Leave Rules, 1933 – Incorporating the "Surrender of Earned Leave" as Rule 7A – Amendment – Issued.**

**Personnel and Administrative Reforms (FR-II) Department**

**G.O.(Ms)No.166**

**Dated : 03.12.2018**

**வினம்பி, கார்த்திகை-17,  
திருவள்ளூர் ஆண்டு 2049.**

**Read :**

01. G.O.Ms.No.783, Finance Department, dated 10.09.1968.
02. G.O.Ms.No.1089, Personnel and Administrative Reforms (FR-II) Department, dated 01.11.1980.
03. Government Letter No.86904/81-1, Personnel and Administrative Reforms (FR-III) Department, dated 08.03.1982.
04. Government Letter No.38745/82-1, Personnel and Administrative Reforms (FR-III) Department, dated 29.05.1982.
05. Government Letter No.92550/82-1, Personnel and Administrative Reforms (FR-III) Department, dated 18.01.1983.
06. Government Letter No.16216/83-1, Personnel and Administrative Reforms (FR-III) Department, dated 18.04.1983.
07. G.O.(Ms) No.211, Personnel and Administrative Reforms (FR-III) Department, dated 28.11.2001.
08. G.O.(Ms) No.138, Personnel and Administrative Reforms (FR-III) Department, dated 22.11.2002.
09. G.O.(Ms) No.351, Personnel and Administrative Reforms (FR-III) Department, dated 21.10.2004.
10. G.O.(Ms) No.19, Personnel and Administrative Reforms (FR-III) Department, dated 23.02.2006.

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**ORDER:**

In the Government Order first read above, the Scheme of surrender of earned leave was in existence from 10.09.1968 as per the scheme of Kerala State.

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The Government servants are allowed to surrender 30 days of earned leave at an interval period of 24 months.

2. In the Government Order second read above, Government servants were permitted to surrender 15 days of earned leave annually/30 days of Earned Leave biennial in lieu of cash allowance. In the Government Order seventh read above, the facility of surrender of Earned Leave was suspended initially for one year. In the Government Order eighth read above the ban on the facility of surrender of earned leave was extended until further order. In the Government Order ninth read above, facility of surrender of Earned Leave for encashment was restored with effect from 24.04.2014. The Government Employees/Teachers were permitted to surrender 7 days of earned leave for encashment in a year as per the regular annual cycle. In the Government Order tenth read above, orders have been issued, permitting the Government Employees and Teachers to surrender 15 days of Earned Leave in a year in lieu of cash at their credit as per the regular cycle with effect from 08.02.2006. Therefore, periodical changes for surrender of earned leave have been made in the above said Government Orders. Therefore, there is no need to give date of effect for surrender of earned leave to these orders. As per the existing schemes, the following Notification will be published in the Tamil Nadu Government Gazette:-

#### NOTIFICATION.

In exercise of the powers conferred by the proviso to Article 309, read with Article 313, of the Constitution of India and of all other powers hereunto enabling, the Governor of Tamil Nadu hereby makes the following amendment to the Tamil Nadu Leave Rules 1933 contained in Annexure-III to the Fundamental Rules.

2. The amendment hereby made shall come into force from the date of issue of order.

#### AMENDMENT.

In the said Tamil Nadu Leave Rules, 1933, after rule 7, the following rule shall be inserted, namely:-

"7 A (i) A probationer or an approved probationer whether on duty or on leave other than extraordinary leave without allowance and un-earned leave on private affairs, may surrender earned leave at his credit for encashment;

(ii) Requests in writing for surrender of earned leave indicating the date of surrender shall be made one month before or within one month after such date for surrender;

(iii) The amount of earned leave surrendered under this rule shall not exceed 30 days with the interval of 24 months and shall not exceed 15 days with the interval of 12 months;

(iv) The leave salary shall be paid at  $1/30^{\text{th}}$  of the monthly salary for each day of surrender irrespective of the number of days in the month of which

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the earned leave is surrendered and whether the Government servant is on duty or on leave;

- (v) The total number of days of earned leave availed and the earned leave surrendered shall not exceed the maximum earned leave admissible to the Government servant concerned.

Note 1- Entries regarding number of days surrendered, date of surrender and the debit from earned leave account shall be made in the service book of the Government servant concerned immediately after issue of orders by the drawing and disbursing officers.

Note 2- The Government servants deputed on foreign service shall also be eligible for surrender of earned leave under this rule.

Note 3- A Government servant whose suspension has been revoked and reinstated in service, may surrender earned leave under this rule on the eligible date, provided he,-

- (i) applies for surrender within one month from the date of receipt of order regulating the period of suspension; and
- (ii) has earned leave at his credit on the eligible date after regulating the period of suspension.

**(BY ORDER OF THE GOVERNOR)**

**S. SWARNA  
SECRETARY TO GOVERNMENT.**

To  
All Secretaries to Government, Chennai – 600 009.  
All Departments of Secretariat, Chennai – 600 009.  
All Heads of Departments including District Collectors/District Judges / District Magistrates.  
The Secretary, Tamil Nadu Public Service Commission,  
Chennai – 600 003.  
The Accountant General(I/II), Chennai-600018  
The Accountant General, Chennai – 9/35.  
The Director of Treasuries and Accounts, Chennai – 600 035.  
The Pay and Accounts Office (North/East/South), Chennai – 1/8/35.  
The Pay and Accounts Office, Secretariat, Chennai – 600 009.  
The Works Manager, Government Central Press,  
Chennai – 600 079.  
(for publication in the Tamil Nadu Government Gazette)

**(P.T.O)**

Copy to:-

The Special Personal Assistant to the Hon'ble Minister (Fisheries,  
Personnel and Administrative Reforms), Secretariat, Chennai – 600 009.  
The Senior Private Secretary to the Secretary to Government,  
Personnel and Administrative Reforms Department, Chennai – 600 009.  
All Sections / All Officers in Personnel and Administrative Reforms Department,  
Chennai – 600 009.  
The Personnel and Administrative Reforms (AR-II) Department,  
Chennai – 600 009,  
(to upload in the Tamil Nadu Government Website)  
The Finance (PC) Department, Chennai – 600 009.  
The Finance (CMPC) Department, Chennai – 600 009  
Stock File /Spare Copy.

**// FORWARDED BY ORDER//**

*Rach. Bri. De.* 3/12/18.  
**SECTION OFFICER.**

*Om*  
03/12/18