

WEST BENGAL STATE ELECTRICITY BOARD

Office Order No. : 5746

Dated : 26.11.1999

Sub : Enhancement of Earned Leave and encashment of cash equivalent of leave salary to the employees of West Bengal State Electricity Board

In exercise of the powers conferred by Section-79G of the Electricity (Supply) Act, 1948, the *West Bengal State Electricity Board* is pleased to make the following amendments in the *West Bengal State Electricity Board Employees' Service Regulations*, namely :-

Amendments :

In the said Regulations :-

For Regulation 103(a) substitute the following Regulations :-

An employee may be permitted by the authority competent to grant leave to take leave preparatory to retirement to the extent of earned leave due not exceeding 300 (three hundred) days together with half pay leave due, subject to the condition that such leave extends upto and includes the date of retirement.

Note : The leave granted as leave preparatory to retirement shall not include extraordinary leave.

For Regulation 103 B(1)(a) substitute the following Regulation :-

Payment of cash equivalent of leave salary shall be limited to a maximum 300(three hundred) days.

For Regulation 103 B(1)(c) substitute the following Regulation :-

The cash equivalent of leave salary shall be payable in one lump sum as one time settlement. No House Rent Allowance, Hill Allowance or other Compensatory Allowance shall be payable. The reimbursement of the cost of Medical Attendance & Treatment otherwise than in a hospital, not being a Compensatory Allowance, shall be admissible along with such leave salary.

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Pay admissible on the date of retirement plus D. A. and Medical Reimbursement admissible on that date

30

X

Number of days of unutilised E. L. at the credit on the date of retirement subject to a maximum of 300 days

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For Regulation 103(B)(3) substitute the following Regulation :-

An employee who retires or/ is retired from service in the manner mentioned in Clause (c) of Regulation 103A may be granted suo-motu, by the authority competent to grant leave ; cash equivalent of leave salary in respect of earned leave at his credit subject to a maximum of 300 days and also in respect of all the half pay leave at his credit provided this period does not exceed the period between the date on which he so retires or is retired from service and the date on which he would have retired in the normal course after attaining the age of superannuation.

The cash equivalent shall be equal to the leave salary as admissible for earned leave and/or equal to the leave salary as admissible for half pay leave plus dearness allowance and medical reimbursement as admissible on that leave salary for the first 300 days, at the rates in force on the date the employee so retires or is retired from service. The pension and pension equivalent of other retirement benefits and adhoc relief/graded relief on pension shall be deducted from the leave salary paid for the period of half pay leave, if any, for which the cash equivalent is payable. The amount so calculated shall be paid in one lump sum as one time settlement. No House Rent Allowance or Hill Allowance or other Compensatory Allowance shall be payable.

Provided that if leave salary for half pay leave component falls short of pension and other pensionary benefits, cash equivalent of half pay leave shall not be granted.

Provided further that an employee who is retired by Board by giving him pay & allowance in lieu of notice, may apply for leave within the period for which such pay & allowance were given, and where he is granted leave, the leave salary shall be allowed lonely for the period of leave excluding that period for which pay & allowance in lieu of notice have been allowed.

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For Regulation 103(B)(4)(a)(i) substitute the following Regulation :-

Where the services of an employee are terminated by notice or otherwise in accordance with the terms and conditions of his appointment, he may be granted, suo- motu, by the authority competent to grant leave, cash equivalent in respect of Earned Leave at his credit on the date on which he ceases to be in service subject to a maximum of 300 days.

For Regulation 103(B)(4)(a)(ii) substitute the following Regulation :-

*Resignation
cases*

An employee who resigns or quits service shall be entitled to cash equivalent in respect of Earned Leave at his credit on the date of cessation of service to the extent half of such leave at his credit subject to a maximum of 150 days.

For Regulation 103(B)(4)(a)(iii) substitute the following Regulation :-

An employee who is re-employed after retirement may on termination of his re-employment, be granted, suo-motu, by the authority competent to grant leave, cash equivalent in respect of Earned Leave at his credit on the date of termination of re-employment subject to a maximum of 300 days including the period for which encashment was allowed at the time of retirement.

For Regulation 103(B)(5) substitute the following Regulation :-

In case, an employee dies while in service, the cash equivalent of the leave salary that the deceased employee would have got had he gone on Earned Leave that would have been due and admissible to him but for his death on the date immediately following the date and in any case not exceeding leave salary for 300 days shall be paid to his family without any reduction on account of pension equivalent of death-cum-retirement gratuity.

In addition to cash equivalent of leave salary admissible, the family of the deceased employee shall also be entitled to payment of Dearness Allowance admissible on the basis of leave salary as also medical re-imburement for treatment outside hospital.

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Note-1 : (i) The term family for the purpose of this rule shall mean and include the following :

- (a) wife in case of male employee ;
- (b) husband in case of female employee ;
- (c) minor sons including adopted sons ;
- (d) un-married minor daughters including adopted daughters;
- (e) dependent parents.

(ii) Cash equivalent of leave salary shall not be payable to more than one member of the deceased employee's family at the same time. It shall first be admissible to the widow(s)/ widower and then to the children in equal shares and thereafter to the mother and lastly to father. Where an employee survives by more than one widow such leave salary shall be paid to them in equal share.

Note-2 : The provision of this rule is also applicable in the case of death of a re-employed employee.

Note-3 : For method of calculation of cash equivalent to leave salary under this rule, procedure laid down in Clause-© of Regulation - 103B(1) shall be followed.

For Regulation 110(2) substitute the following Regulation :-

"All employees shall cease to earn such leave when the earned leave due amounts to 300 days".

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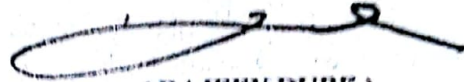
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For Regulation 110(4) substitute the following Regulation :-

"Earned Leave may be granted to an employee for a period exceeding 150 days but not exceeding 300 days if the entire leave so granted or any portion thereof is spent outside India, Bangladesh, Bhutan, Burma, Ceylon, Nepal and Pakistan.

Provided that where earned leave for a period exceeding 150 days is granted under this Regulation, the period of such leave spent in India shall not in the aggregate exceed the aforesaid limit".

This order shall take effect from the 1st July, 1998.

This has reference to Board Resolution No. 35 dated 22.09.1999.



(RAJEEV DUBE)
SECRETARY

Memo No. IS-3R-11/427/1(400)

Dated : 26.11.1999

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