

GOVERNMENT OF HIMACHAL PRADESH,
FINANCE (REGULATION) DEPARTMENT.

No. Fin (C) A (3) -1/2008 Dated Shimla-2, the 13th August, 2013.

OFFICE MEMORANDUM

Subject :- Counting of notional pay for pensionary benefits in respect of Government employees who are allowed promotion/financial up-gradation etc. on notional basis as a result of Government decisions or Court orders- clarification regarding leave encashment of un-utilized earned leave.

The undersigned is directed to refer to Finance Department's O.M. No. Fin (Pen) A (3) -12/2010 dated 12th March, 2013 vide which it has been decided by the State Government that in cases where pay of the Government employees are fixed on notional basis due to promotions/ financial up-gradations etc. as a result of Government decisions or due to final Court orders, the notional pay so fixed shall be taken into account for calculation of pensionary benefits under Rule-33 and Rule-34 of the CCS (Pension) Rules, 1972.

2. The references are being received in this Department from various quarters seeking clarification as to whether the pay fixed on notional basis shall be counted for leave encashment or not. It is clarified that since the benefit of leave encashment is not a part of retirement benefit and the same is regulated under separate set of Rules i.e. CCS(Leave) Rules, 1972 as such, instructions issued by the Finance (Pension) Department vide O.M. dated 12.3.2013 shall not be applied in such cases. Moreover, in terms of rule 39(2)(b) of the CCS(Leave) Rules, 1972, the leave encashment shall be payable in one lump sum as one time settlement.


3. These orders may be brought to the notice of all concerned.


Special Secretary (Finance) to the
Government of Himachal Pradesh.

All Administrative Secretaries to the
Government of Himachal Pradesh.

Endst.No. Fin (C) A (3)-1/2008, Dated Shimla-2, the 13th August, 2013.
Copy forwarded for information and necessary action :-

1. The Controller, Printing and Stationery Department, Himachal Pradesh, Shimla-171005 for immediate publication in Rajpata. He is also requested to provide 10 copies of this notification to Finance Department.
2. The Accountant General, Himachal Pradesh, Shimla-171003.
3. The Accountant General (A&E) Himachal Pradesh, Shimla-3.
4. The Secretary to Governor, Himachal Pradesh.
5. All the Pr. Secretaries/ Secretaries to the Govt. of H.P.
6. The Divisional Commissioners, Shimla/ Kangra/ Mandi Divisions, Himachal Pradesh.
7. The Resident Commissioner, H.P. Himachal Bhawan, Sikandra Road, New Delhi.
8. The Secretary, H.P. Vidhan Sabha, Shimla-171004.
9. All Heads of Departments in Himachal Pradesh.
10. The Registrar, H.P. High Court, Shimla-171001 (H.P.)
11. The Secretary, H.P. Public Service Commission, Shimla-171002.
12. All Deputy Commissioner in Himachal Pradesh.
13. The Director, IF Department, Himachal Pradesh, Shimla-2.
14. The Secretary, H.P. Electricity Regulatory Commission, Shimla-2.
15. The Secretary, Lokayukta, Pine Grove Building, Shimla-2.
16. The Registrar, H.P. State Consumer Commission, Shimla.
17. The Secretary, H.P. Subordinate Services Selection Board, Hamirpur.
18. All District Treasury Officers/ Treasury Officers in H.P.
19. The Resident Commissioner, Pangi, Chamba, Himachal Pradesh.
20. The Controller, Deptt. of Personnel, H.P. Sectt Shimla-2.
21. All Public Sector Undertakings/ Boards/ Corporations/ Universities, H.P.
22. Department of Personnel-II with five spare copies.
23. Guard File 50 spare copies.


Special Secretary (Finance) to the
Government of Himachal Pradesh.