

Government of Rajasthan  
Finance Department  
(Rules Division)

No. : F.1(9)FD/Rules/2015

Jaipur, dated : 13 MAR 2020

**ORDER**

Sub : Payment of encashment of balance of leave at the time of retirement to a Government servant.

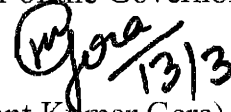
A question has been raised that in the case of a Government servant against whom a criminal proceeding is pending at the time of his retirement whether he is entitled to encashment of balance of earned leave or not under Rule 91 B of Rajasthan Service Rules.

Under note below Sub-rule (1) of Rule 91 B of Rajasthan Service Rules, the benefit under this sub-rule is not admissible to the Government servants retired compulsorily as a measure of penalty under the Rajasthan Civil Services (CC&A) Rules, 1958.

The matter has been considered keeping in view above provisions and the Governor is pleased to order that the sentence in the criminal proceedings by a Court to a Government servant also falls in the category of major penalty even though it has not been ordered under the provisions of Rajasthan Civil Services (CC&A) Rules, 1958 and accordingly, in such cases also the Payment of encashment of balance of leave at the time of superannuation of a Government Servant who has been sentenced shall not be admissible until and unless he is fully exonerated from the sentence on finalization of the pending appeal.

Similarly in the cases where departmental proceedings under Rule 16 of the Rajasthan Civil Services (CC&A) Rules, 1958 and / or criminal proceedings against a Government servant is under process and he / she attains the age of superannuation, in such cases also the payment of encashment of balance of leave shall be admissible only if he is fully exonerated on finalisation of the pending case.

By order of the Governor,



(Hemant Kumar Gera)  
Secretary to Government,  
Finance(Budget)

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(Suresh Kumar Verma)  
Joint Secretary to the Government

(RSR – 20/2020)