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No.14029/1/2013-Estt(Leave)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel and Training

Block No.IV,
Old JNU Campus,
New Delhi-110 067.

Dated:17/5/2013

To

✓ The General Secretary,
All India Bharat Sanchar Nigam Limited
Retired Executives' Association,
Central Headquarters,
111 New Ashiana Apartments,
Plot No.10 Sector -6, Dwarka,
New Delhi 110 075.

Sub:- Sanction of leave encashment to a Government Servant on his superannuation while under suspension- Review of Rule 39(3) of CCS(Leave) Rules, 1972.

Sir,

I am directed to refer to your letter No.AIBSNLREA/CHQ/2013/24 dated 26th April, 2013 on the above subject and to state that your request for review of provisions of Rule 39(3) of CCS(Leave) Rules, 1972 for withdrawal of the same has been considered in this Department. In this regard, it is stated that the said provision safeguards the financial interests of the Government and can be invoked only in cases where there is a possibility of any amount likely to be recovered from a Government servant. The intent of the provision is not punitive and in no case amounts to double punishment, particularly when a suspect Government servant is also allowed upto full pension on provisional basis in such situation, which is also subject to future adjustments as per provisions of CCS(Pension) Rules.

Yours faithfully,



(S.G.Mulchandaney)

Under Secretary to the Govt. of India