



**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

LEAVE RULES: - Recommendations of PRC 2010 - Encashment of Leave on Half Pay at the time of retirement of Government Employees – Orders – Issued.

FINANCE (FR.I) DEPARTMENT

G.O.Ms.No. 154

**Dated:04.05.2010
Read the following:-**

1. G.O.Ms.No. 46, G.A. (Ser.Wel.) Department, dated 28.01.1994.
2. O.M.No.P.14025/11/82-Estt. (Leave), dated 25.08.1983 of Department of Personnel and Training, Government of India.
3. O.M.No. 14020/1/09-Estt. (L). dated 06.04.1993 of Department of Personnel and Training, Government of India.
4. G.O.Ms.No.342, Finance and Planning (FW: FR-I) Department, dt. 30.09.1994.
5. O.M.No.14028/3/2008- Estt. (L) dated: 25-09-08 of Department of Personnel & Training Ministry of P.PG & Pension, Government of India
6. G.O.Ms.No.438, G.A. (Spl. A) Department, dated: 07.07.2008.
7. G.O.Ms.No.598, G.A. (Spl. A) Department, dated: 26.11.2009.

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ORDERS:-

In the reference 4th read above orders were issued extending the benefit of encashment of Half Pay Leave to the State Government Employees as applicable to the Central Government Employees as per the reference 2nd and 3rd read above and based on the recommendations of High Power Committee constituted in the G.O. 1st read above.

2. In the Government Order 6th read above, orders were issued constituting Ninth Pay Revision Commission and Government appointed Sri. C.S. Rao, IAS, (Retd) as Pay Revision Commissioner. In the Government Order 7th read above, the terms of reference of the Pay Revision Commissioner were laid down.

3. The Ninth Pay Revision Commission submitted its report to the Government on 05.12.2009 and recommended, inter alia, that, **“The Commission after examining the above requests recommends to adopt the same formula in the case of encashment of Leave on Half Pay at the time of retirement / death in the case of State Employees also subject to the condition that the total number of days of earned leave + leave on half pay put together should not exceed 300 days for encashment”**.

4. It is observed in the report that as per the existing orders, the cash equivalent of leave salary on account of encashment of leave on half pay shall be calculated in the manner indicated below.

Cash payment in lieu of LHP encashed		Leave salary on half pay (+) D.A thereon if admissible (-) pension (+) pension equivalent of gratuity and Dearness Relief on pension.		Number of days of Leave on half pay due, subject to the limits prescribed in the rules.
	=	<hr style="width: 80%; margin: 0 auto;"/> 30	X	

5. The above formula was adopted based on the orders issued by Government of India to its employees.

6. Based on the recommendations of 6th CPC, the Government of India issued revised orders changing the formula in the following manner- (vide O.M.No.14028/3/2008- Estt. (L) dated: 25-09-08 of Department of Personnel & Training Ministry of P.PG & Pension, Government of India, 5th read above).

Cash payment in lieu of half pay leave Component		Half pay leave salary admissible on the date of retirement plus D.A. admissible on that date		No. of days of half pay leave at credit subject to the total of earned leave and half pay leave at credit not exceeding 300 days.
	=	<hr style="width: 80%; margin: 0 auto;"/> 30	X	

7. The Employees' Associations requested to adopt the above formula in the case of encashment of L.H.P. of the State Government employees and the Commission after examining the above requests recommends to adopt the same formula in the case of encashment of Leave on Half Pay at the time of retirement / death in the case of State Employees also subject to the condition that the total number of days of earned leave + leave on half pay put together should not exceed 300 days for encashment.

8. After careful consideration of the report, Government decided to accept the recommendations of the Pay Revision Commissioner and hereby order that formula for calculation of encashment of Leave on Half Pay at the time of retirement / death in the case of State Employees shall be as follows subject to the condition that the total number of days of earned leave + leave on half pay put together should not exceed 300 days for encashment.

Formula

Cash payment in lieu of half pay leave Component	=	Half pay leave salary admissible on the date of retirement plus D.A. admissible on that date. <hr style="width: 50%; margin: 0 auto;"/> 30	X	No. of days of half pay leave at credit subject to the total of earned leave and half pay leave at credit not exceeding 300 days.
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9. These orders shall come into force with immediate effect.

10. The G.O is available on Internet and can be accessed at the address <http://www.ap.gov.in/goir> and <http://www.apfinance.gov.in>.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**L.V. SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT (FP)**

To
 All the Departments of Secretariat (10 copies each)
 The Accountant General, AP., Hyd. (20 copies)
 The Accountant General, AP., Hyd (by Name)
 The Pay & Accounts Officer, Hyd.
 The Secretary to Governor, A.P., Hyderabad.
 All Secretaries to Government.
 The Private Secretary to the Chief Minister and Private Secretaries to all Ministers.
 All the Heads of Departments (including Collectors and District Judges).
 The Registrar, High Court of Andhra Pradesh, Hyderabad (with Covering Letters)
 All the District Treasury Officers.
 The Secretary, Andhra Pradesh GENCO/TRANSCO]
 The General Manger, A.P., State Road Transport Corporation, Hyderabad (with covering letter).
 All District Educational Officer.
 All the District Development Officer.
 All District Panchayat Officers.
 All Secretaries of Zilla Grandhalaya Samsthas through Director of Public Libraries, Hyderabad.
 All Secretaries of Agricultural Market Committees through Director of Marketing,A.P., Hyderabad.
 All Commissioners/Special Officers of Municipalities.
 All Recognized service Associations.
 The Director, Government Printing Press, A.P., Hyderabad for publication in the A.P. Gazette.
 Copy to the General Administration (Cabinet) Department.
 Copy to the General Administration (SW) Department.
 Copy to SF/SCs.

By Speed Post

GOVERNMENT OF ANDHRA PRADESH
SCHOOL EDUCATION DEPARTMENT
OFFICE OF THE COMMISSIONER & DIRECTOR OF SCHOOL EDUCATION
ANDHRA PRADESH, HYDERABAD – 500004.

Memorandum No.118/R2-3/2012 – 1, Dated:06.07.2013

Sub: Suits – APAT – O.A. No.1863/2012 filed by Sri J. Sanjeeva Reddy, Retired SGT, MPPS, Mandli, Somandepalli (M), Anantapur District and (187) others of Anantapur District – Encashment of Half Pay Leave – Non applicability of Government orders to the Panchayat Raj, Municipal Institutions and Aided Institutions - Government's clarification – Communicated - Reg.

- Ref:**
- 1) G.O.Ms.No.342 Finance and Planning (FW:FR-1) Department, dated 30.09.1994.
 - 2) G.O.Ms.No.234 Finance and Planning (FW:FR-1) Department, dated 27.10.1999.
 - 3) G.O.Ms.No.154 Finance (FR-1) Department, dated 04.05.2010.
 - 4) Rule Nisi dated 09.03.2012 of the Hon'ble APAT, Hyderabad.
 - 5) Govt. Memo. No.7380/PE-Ser.I/2012 dated 10.12.2012 of the Education (PE) Department.

A copy of the reference **PRTU** is herewith communicated to all the District Educational Officers, Regional Joint Directors of School Education and other Subordinate Officers of this department for their immediate necessary action.

This has the approval of the Commissioner and Director of School Education, Andhra Pradesh, Hyderabad.

Sd/- PRNOTI SUHASINI KAVOORI
for Commissioner & Director of School Education

To

All the District Educational Officers in the state except Anantapur District.

All the Regional Joint Directors of School Education in the state for information and necessary action.

Copy to all the District Treasury Officers in the state for information and necessary action **(By Speed Post)**.

Copy to the PAO, Hyderabad for information and necessary action **(By Speed Post)**.

Copy to D1, D2, D3, B1, B2, B4, S, C2, C3 and N2 Sections of this office.

Copy to the Assistant Director (Secondary) of this office.

Copy to the Assistant Director (Training) of this office.

Copy to the Assistant Director (VE) of this office.

Copy to the Assistant Director (MC) of this office.

Copy to the Assistant Director (Ele. Edn) of this office.

// TRUE COPY ATTESTED //

ASSISTANT DIRECTOR (PENSION)

-141-

GOVERNMENT OF ANDHRA PRADESH
EDUCATION (PE) DEPARTMENT

Memo.No.7380/PE-Ser.I./2012

Dated: 10.12.2012

Sub: School Education – Encashment of Half Pay Leave – Applicability of orders to the Panchayat Raj and Municipal Institutions – Clarification – Regarding.

Ref: From the Commissioner & Director of School Education, A.P., Hyderabad Lr.Rc.No.118/R2-3/2012, dated. 29.08.2012.

The attention of the Commissioner & Director of School Education, A.P., Hyderabad is invited to the reference cited and he is informed that the orders issued in G.O.Ms.No.342, Finance & Planning Department, dated. 30.09.1994, G.O.Ms.No.234, Finance & Planning Department, dated. 27.10.1999 and G.O.Ms.No.154, Finance (FR.I) Department, dated. 04.05.2010 are applicable to the Government employees only and not applicable to the Panchayat Raj and Municipal Institutions, if the above orders are not extended to them.

2. This Memo. Issues with the concurrence of Finance (ESE) Department vide their U.O.No.30446/624/ESE/2012, dated. 27.11.2012.

RAJESHWAR TIWARI
PRINCIPAL SECRETARY TO GOVERNMENT

The Commissioner & Director of School Education, A.P., Hyderabad

Copy to:
All Service Sections in SE Department
SF/Scs

PRTU

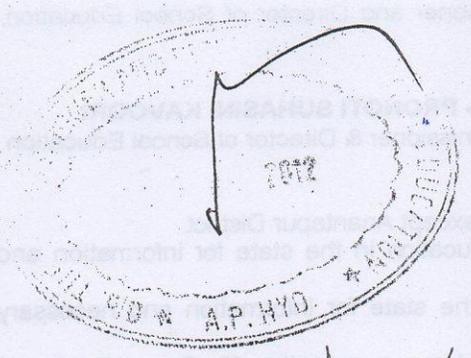
// FORWARDED BY ORDER //

SECTION OFFICER

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R-3
26/12/2012

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RC NO EG/5696/2013 dt 25-7-13

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**PROCEEDINGS OF THE COMMISSIONER AND DIRECTOR OF SCHOOL
EDUCATION : ANDHRA PRADESH : : HYDERABAD**

Rc.No.22/B2-2/2011

Dated:26.03.2013

Sub:- SE- Aided- Encashment of Half Pay leave at the time of retirement -
Applicability to the staff working in Aided Management - Orders -
Issued.

- Read :-**1. G.O.Ms.No.154 Fin (FR-1) Dept; Dt.4.5.2010.
2. This office Proc. Rc. No. 22/B2-2/B2-1/2011, dated:08.03.2011
3. Representation of President A.P.Teachers' Guild, Hyderabad
Dated:02.03.2013 and 15.3.2013.
4 Representation of President PRTU A.P. Hyderabad Dt:15.3.2013

The attention of the District Educational Officers in the State are invited to the references read above and they are informed that the G.O. Ms. No. 154, Finance, Dated:04.05.2010 is applicable to the staff working in Aided posts in the Aided institutions.

**Sd/- V.USHA RANI
COMMISSIONER AND DIRECTOR
OF SCHOOL EDUCATION**

To

To all the District Educational Officers in the State

To all the Regional Joint Directors of School Education in the State

SUPERINTENDENT

GOVERNMENT OF ANDHRA PRADESH
SCHOOL EDUCATION DEPARTMENT

From
Dr. G. Vani Mohan, I.A.S.,
Commissioner and Director of School
Education,
Andhra Pradesh, Hyderabad

To
The Principal Secretary to Government,
Education Department,
Government of Andhra Pradesh,
Hyderabad.

Rc.No. 118/R1-1/2012, Dated: 31.10.2013

Sir,

Sub: School Education – Encashment of Half Pay Leave – Request for applicability of relevant Government Orders to Teachers working under all managements viz., Panchayat Raj, Municipal – Proposals Submitted – Request – Reg.

- Ref:
1. G.O.Ms.No.342 Finance and Planning Department, dated 30.09.1994.
 2. G.O.Ms.No.234 Finance and Planning Department, dated 27.10.1999.
 3. Government Memo No. 49578/905/FR-I/A2/1998 dated 23.02.1998 of the Finance Department.
 4. Government Memo No. 27424/SE.OP/99-3 dated 01.01.2009 of the Education (SE.OP) Department.
 5. G.O.Ms.No.154 Finance (FR-I) Department, dated 04.05.2010.
 6. Rule Nisi dated 09.03.2012 of the Hon'ble APAT, Hyderabad in OA No.1863/2012.
 7. Order dated 19.10.2012 of the Hon'ble A.P.A.T., Hyderabad in O.A. No. 1863/2012 and O.A. No. 6267/2012.
 8. Government Memo No. 7380/PE. Ser. I-2/2012, dated 10.12.2012 of Education (PE) Department.

...

I wish to submit that encashment of Half Pay Leave at the time of retirement of Government Employees are issued by the Government vide references 1st, 2nd and 5th cited. In the reference 8th cited Government have issued clarification stating that the above orders are applicable to the Government Employees only and not applicable to the Panchayat Raj and Municipal Institutions, if the above orders are not extended to them. In this connection I am to state that all the Government orders are directly extended to Government Employees only and the orders issued by the Government from time to time are extended to the Local Body Employees as well as Municipalities. In the same analogy there is no mention about the extension of the following HPL Government Orders to the Panchayat Raj Teachers, Municipal Teachers including non-teaching staff. The President, P.R.T.U., A.P., Hyderabad and other Teacher Associations represented that the following G.Os. may be extended to them, so as to enable to utilise the facility accorded by the Government.

1. G.O.Ms.No. 342, dated 30.09.1994.
2. G.O.Ms.No. 234, dated 27.10.1999.
3. G.O.Ms.No. 154, dated 04.05.2010.

extend the benefits ordered in G.O.Ms.No. 154, Finance (FR-I) Department, dated 04.05.2010 with regard to Half Pay Leave to the Panchayat Raj Teachers

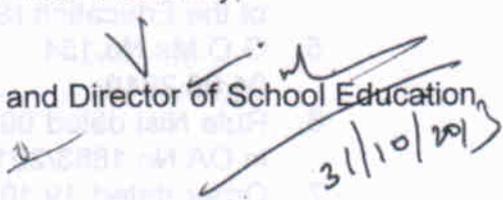
The employees of Local Bodies/Municipal are enjoying the same benefits on par with Government Employees on the following except encashment of Half Pay Leave at the time of Retirement.

1. Revised Pay Scales.
2. Annual Grade Increments.
3. Salaries.
4. Pay Protection.
5. Leave Rules and Pension Rules.
6. Encashment of EL.

A comparative statement is also enclosed for ready reference.

In view of the above, I request the Government kindly to re-examine the issue of extending the benefits of encashment of Half Pay Leave on retirement to the teachers of Mandal Parishad/Zilla Parishad/Municipal Managements.

Yours faithfully,


Commissioner and Director of School Education,

31/10/2013

I wish to submit that encashment of Half Pay Leave at the time of retirement of Government Employees are made by the Government and reference 15 and 86 cited in the reference cited Government has issued directions stating that the above order are applicable to the Government Employees only and not applicable to the Panchayat Raj and Municipal Employees. If the above order are not extended to them in this connection, it is to state that all the Government employees are directly extended to Government Employees only and the order issued by the Government from time to time are extended to the Local Body Employees as well as Municipalities. In this connection, there is no mention about the extension of the following HPL. Government Order to the Panchayat Raj Teachers, Municipal Teachers Government Order dated 15.10.2012. The President, P.R.T.U., A.P., Hyderabad and District Education Officer requested that the following G.O. may be issued to extend the facility to those the facility accorded by the Government.

1. G.O. Ms. No. 242 dated 20.09.1994
2. G.O. Ms. No. 234 dated 27.10.1999
3. G.O. Ms. No. 154 dated 04.05.2010

Government Teachers:

- ❖ It is submitted that the Teachers are working under two managements in Education Department i.e.,
 - 1) Panchayat Raj Teachers
 - 2) Government Teachers.
- ❖ Earlier the C.E.O. is the appointing authority for the teachers working under Panchayat Raj Department and the District Educational Officer is a competent authority for the teachers working in the Government Department.
- ❖ The Panchayat Raj teachers were provincialised by the Government and extended all the benefits to the Panchayat Raj Teachers on par with Govt. Teachers as follows.
- ❖ Now, the appointing authority for Panchayat Raj Teachers and Government Teachers is District Educational Officer as per Service Rules

S.No.	Subject	Government Teachers	Panchayat Raj Teachers
1.	Recruitment of SGT / SA / LPs	The qualification prescribed in G.O.Ms.No.11, Dt:23.01.2009. are applicable to hold the post.	The same qualifications have been prescribed in G.O.Ms.No.12, Dt:23.01.2009.
2.	Scales	PRC 2010 Scales are applicable to the teachers working in Govt. Sector.	The same benefits were extended to the Panchayat Raj Teachers.
3.	Increments	As per F.R. the Government teachers are eligible to get increments annually.	The same benefit were extended to the Panchayat Raj Teachers.G.O.Ms.No.52 Fin (PC-I) Dt:25.02.2010.
4.	Salaries	The salares are paying under "010" Head of account to the Government Teachers	The same benefit i.e., "010" Head of account is extended to the teachers Vide G.O.Ms.No.354 /PRD DT:16.09.2009.
5	pay protection	The Government teachers are eligible to get pay protection those who have appointed under direct recruitment	Government vide G.O.Ms. No.105, Dt:02.06.2011 have issued orders to protect the pay of local body employees who were appointed after 10.12.2004 stating that as the word

			<p>"Provincialisation" of service: is nowhere defined in the Acts or the Rules and as at present the salaries are being paid through Treasuries from 10.12.2004 under the Head of Accounts "010 Salaries" the benefit of this protection can be agreed to the employees who are appointed after 10.12.2004.</p>
6.	Leave Rules	<p>A.P. leave Rules 1933 are applicable to the Government servants.</p> <p>The Government vide. G.O. Ms.No.70 Edn Dt:06.07.2009 has issued orders duly delegating powers to the H.M. M.E.O. / Dy.E.O. / D.E.O. / D.S.C.</p>	<p>The same rules were extended to the Panchayat Raj teachers in Govt. Memo. No. 3612/G2/1971.16, Dt:19.02.1977.</p>
7.	Pension Rules	<p>The A.P. Revised Pension Rules 1980 are applicable to the teachers of Government.</p>	<p>The same Pension Rules were extended to the Panchayat Raj Teachers.</p>
8.	Encashment of Earned Leave	<p>The Government have permitted to encash 300 days of E.L. at the time of retirement for Government Teachers.</p>	<p>The same benefit were extended to the Panchayat Raj Teachers.</p>
9.	H.P.L.	<p>The Government vide G.O.Ms.No.154,Dt: 04.05.2010 have issued orders for encashment of leave on Half pay at the time of retirement subject to condition that the total No. of days of earned leave + leave on Half pay put together should not exceed 300 days for encashment.</p>	<p>The benefit was not extended by the Government vide its Memo.No.354.</p>

9.

GOVERNMENT OF ANDHRA PRADESH
EDUCATION (PE-Ser.I) DEPARTMENT

Memo No. 7380/PE-Ser.I.2/2012

Dt. 8.1.2014

Sub:- School Education – Encashment of Half Pay Leave – Applicability of relevant Government Orders to the Panchayat Raj and Aided Institutions – Reg.

- Ref:-
1. Representation of Progressive Recognised Teachers Union, A.P. Dt. 25.6.2013.
 2. Representation of A.P. United Teachers Federation Dt. 8.7.2013
 3. Representation of A.P. Teachers Federation, Dt. 16.7.2013.
 4. Resolution of A.P. Teachers Federation, DT. 10.7.2013,
 5. Govt. Memo No. 7380/PE-Ser.I/2013, Dt. 7.8.2013
 6. Representation of the State Teachers Union, A.P., Dt. 3.8.2013,
 7. Govt. Memo No. 7380/PE-Ser.I/2013, Dt. 17.8.2013
 8. Representation from the MLC, Karimnagar Teachers Constituency Dt. 19.8.2013.
 9. Govt. Memo No. 7380/PE-Ser.I/2013, Dt. 24.8.2013
 10. Representations from A.P. Upadyaya Sangam, Hyd., Dt. 27.8.2013 and A.P. Teachers Federation Dt. 30.9.2013 & 27.9.2013.
 11. Representation of Telangana Union Federation Dt. 30.9.2013
 12. The Director Local Fund Audit, A.P. Hyderabad, Lr. Rc. No.10/P3/97, Dt: 6.11.1997.
 13. Govt. Lr. No. 24163/SE-OP/2002 School Education Department, Dt. 7.2.2003.
 14. Govt. Memo No. 2413/SE-OP/2002 School Education Department, Dt. 7.2.2003.
 15. G.O.Ms. No.447, PR & RD (Accounts)Department Dt. 28.11.2013

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The attention of the Commissioner & Director of School Education, Hyderabad is invited to the references cited. The Teacher Associations have been contending in the matter that since 1994 the Panchayatraj Teachers have utilized the benefit of H.P.L. encashment at the time of retirement. But this facility has been stopped/denied because of the clarification issued in Memo No. 7380/PE-SERVICES-I/2012, Education(PC)Department Dt. 10.12.2012. In this regard, it may be observed that there has always been some kind of inconsistency on the applicability of this benefit for Panchayatraj Teachers. The Director of Local Fund Audit A.P. Hyderabad had addressed letters to Government vide his letter dated 6.11.1997, 5.11.1999 and 25.11.1999 seeking clarification on the applicability of this provision to the local body employees etc. Further, while provincialising the Services of employees of Panchayatraj Institutions vide G.O.Ms.No.168,PR&RD (Estt-3) Dt:20.3.1981 it has been mentioned therein that till such time separate orders regarding amendment to service rules issued their salaries and allowances from existing sources should continue. Accordingly, separate orders have been issued in G.O.Ms No. 354, PR&RD Accounts-II Department, Dt. 16.9.2008 for drawl of their salaries through the Head of Account "010". But it is not known whether any such order have been issued either by the P.R. Department or School Education Department in respect of allowances such as Half pay Leave encashment at the time of retirement. It is also not known from the report of the Commissioner & Director of School Education, Hyderabad in letter Dt. 13.10.2013, about the previous practice in this regard while the PR. Teachers were under the Administrative Control of PR&RD Department/ Zilla perished.

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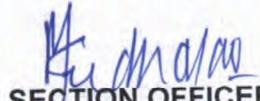
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Therefore, the Commissioner & Director of School Education, Hyderabad is requested to examine what has been the previous entitlement given for Panchayatraj Teachers in respect of enhancement of Half Pay Leave at the time of retirement while they were under the control of P.R. Department and subsequently till the issuance of the subject clarification in the Memo.Dt:10.12.2012 above cited. She is further requested to thoroughly examine the entire issue, and submit a detailed report to Government for taking necessary action in the matter.

V.NAGAMANI
DEPUTY SECRETARY TO GOVERNMENT

To
The Commissioner & Director of School Education,
Hyderabad

// FORWARDED BY ORDER //


SECTION OFFICER


**GOVERNMENT OF ANDHRA PRADESH
SCHOOL EDUCATION DEPARTMENT**

From
Dr. G.Vani Mohan, I.A.S.,
Commissioner and Director of
School Education,
Andhra Pradesh, Hyderabad

To
The Principal Secretary to Government,
Education Department,
Government of Andhra Pradesh,
Hyderabad.

RC.No.118/R1-2/2012, Dated: 31-01-2014

Sir/Madam,

Sub:- School Education – Encashment of Half Pay Leave – Applicability of relevant Government Orders to the Panchayat Raj institutions – Information – Submitted – Reg.

- Ref:-
1. G.O.Ms.No.342 Finance & Planning Department, dated: 30-09-1994.
 2. G.O.Ms.No.234 Finance & Planning Department, dated: 27-10-1999.
 3. Government Memo.No.49578/905FR-I/A2/1998, dated: 23-02-1998 of the Finance Department.
 4. Government Memo.No.27424/SE.OP/99-3, dated: 01-01-2009 of the Education (SE.OP) Department.
 5. G.O.Ms.No.154 Finance (FR-I) Department, dated: 04-05-2010.
 6. Rules Nisi dated: 09-03-2012 of the Hon'ble APAT, Hyderabad in OA.No.1863/2012.
 7. Order dated: 19-10-2012 of the Hon'ble A.P.A.T., Hyderabad in O.A.No.1863/2012 and O.A.No.6267/2012.
 8. Government Memo.No.7380/PE.Ser.I-2/2012, dated: 10-12-2012 of Education (PE) Department.
 9. Lr.Rc.No.118/R1-1/2012, Dated: 31-10-2013 of the Commissioner and Director of School Education, A.P., Hyderabad.
 10. Govt.Memo.No.7380/PE-Ser-I.2/2012, Dated: 08-01-2014.

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In response to the Govt. Memo 10th cited, I submit that, It is not known whether any entitlement given by the Panchayat Raj Department to the Panchayat Raj teachers previously in respect of encashment of Half Pay Leave at the time of retirement while they were under the control of Panchayat Raj department. Further, subsequently no orders have been issued from this office till the issuance of clarification issued by the Government in their Memo, dated: 10-12-2012.

Further, I wish to submit that, the Government vide reference 1st, 2nd and 5th cited have issued orders for encashment of Half Pay Leave at the time of retirement to the Government Employees only, which were not extended to the Local Bodies / Panchayat Raj / Municipal managements. Therefore, certain teacher associations have made representations for extending encashment of Half Pay Leave at time of retirement to the Local Bodies / Panchayat Raj / Municipal managements also.

In this regard, a detail report has already been submitted vide reference 9th cited.

In view of the above, I request the Government kindly to re-examine the issue of extending the benefits of encashment of Half Pay Leave on retirement to the teachers of Local Bodies / Panchayat Raj / Municipal managements and issue necessary orders at an early date in the matter.

Yours Faithfully,
Sd/- Dr. G.VANI MOHAN
Commissioner and Director of School Education

//True Copy Attested//


ASSISTANT DIRECTOR (PENSIONS)

GOVERNMENT OF ANDHRA PRADESH
FINANCE(HR.V)DEPARTMENT

Cir. Memo.No. 196330-C/86/A2/HRM.V/2016

Dt:17.10.2016

Sub: Pensions- Classification of leave encashment benefits granted to state government employees at the time of retirement, termination of service- Provision under MH 2071-01-115 in BE 2016-17-Issued-Orders.

- Ref: 1. Letter.No. H2/8611/2015, dated 26.03.2016 of DTA, AP, Hyderabad alongwith letter dt.18.2.2016.
2. G.O.Ms.No.122, Finance(Pen.I)department dated 22.05.2014.
3. G.O.Ms.No.140, Finance(PSC)department dated 31.05.2014.

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In their letter first cited, the Director of Treasuries and Accounts, AP, Hyderabad has informed that the Accountant General (A&E), Andhra Pradesh, Hyderabad has pointed out that the treasuries are classifying the leave encashment benefits of the retiring employees under sub detailed head 010 - Salaries 018- Encashment of earned leave of respective revenue head instead of MH 2071- Pensions and other Retirement Benefits 01- Civil 115- Leave Encashment Benefits.

2. As per the provisions made in the Budget of Andhra Pradesh State for the payment of Leave Encashment Benefits of the retiring Employees is under MH 2071- Pensions and other Retirement Benefits 01- Civil 115- Leave Encashment Benefits.

3. Therefore, the DTA, AP, Hyderabad requested the Government for incorporating the Head of Account MH 2071- Pensions and other Retirement Benefits 01- Civil 115- Leave Encashment Benefits in the BE 2016-17 as per the details mentioned in Appendix XI of AP Budget manual, so that the leave encashment benefits granted at the time of retirement/termination of service etc., shall be classified accordingly.

4. Government after careful examination of the matter, hereby instruct all the Sanctioning Authorities and all the Drawing and Disbursing Officers to book the expenditure related to leave encashment benefits granted, at the time of retirement under the following Head of account:

M.H 2071- PENSIONS AND OTHER RETIREMENT BENEFITS

01-CIVIL

115- Leave Encashment benefits

(14)-Amount allocable between two successor States of AP&TS

001 -EEL for State Government employees;

002-EEL for Provincialized panchayat raj employees;

003-EEL for Provincialized Municipal Employees.

Similarly, the expenditure for leave encashment for the leave earned **on or after appointed day** shall be booked under

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To all T.88
today FTP

Sisah Baran, to
all DDs mails
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M.H 2071-01-115-(24)-Amount allocable to successor state of Andhra Pradesh

001 -EEL for State Government employees;
002-EEL for Provincialized panchayat raj employees;
003-EEL for Provincialized Municipal Employees.

5. The unsettled leave encashment claims of the employees retired before 02.06.2014 shall be booked under

M.H 2071-01-115-(07)-leave encashment allocable between the successor states in the ratio of 58.32: 41.68 (to be opened by changing existing nomenclature)

001 -EEL for State Government employees,
002-EEL for Provincialized panchayat raj employees,
003-EEL for Provincialized Municipal Employees, instead of 010-018 under respective service heads with effect from 01.04.2016.

6. The procedure as prescribed vide G.O.Ms.No.140, Finance (PSC) Department, dated 31.05.2014 and hitherto followed is now modified and the DDOs shall not prefer bills under suspense account under the HOA 8793-129 except GIA institutions whose claims shall continue to be preferred as per the existing procedure.

7. The yearly surrender leave encashment may however be classified under 010-018 as per the existing procedure.

8. Therefore, all the Secretariat Departments, HODs and Director of Treasuries and Accounts, AP, Hyderabad are requested to issue suitable instructions to all DDOs working under their control to book the expenditure related to Leave Encashment benefit granted to the retired employees as shown at paras 4&5 above.

HEMA MUNIVENKATAPPA
SPECIAL SECRETARY TO GOVERNMENT

To
All Secretariat Departments
All Head of the Departments
The Director of Treasuries and Accounts, AP, Hyderabad
The Pay and Accounts Officer, AP, Hyderabad
The Director of State Audit, AP, Hyderabad
The Director of Works Accounts, AP, Hyderabad
All District Collectors
All Registrars of Universities
All District Educational Officers
All Municipal Commissioners
All CEOs of Zilla Parishads
Copy to
The Accountant General (A&E), AP, Hyderabad
The Finance (BG.I) Department

//FORWARDED:::BY ORDER//

Endt. RC No. 7670 dt. 20.10.2016

O/ODTA, AP, Hyderabad SECTION OFFICER

Communicated to all the DTOS for information and necessary action.

S/- A. Siva Prasad

for Director of Treasuries and Accounts

To
The Deputy Directors
of all District Treasuries in the state.

//F.B.O.//

B. Narasimha Rao
Junior Account Officer

AS/15/116; dt. 21-10-16
Communicated for information & necessary action.

To
The District Treasury Officer, Via. (W)
All the ATOs/DTOs in the

TD

ATQ

21/10/16

21/10/16

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

LEAVE RULES : - Encashment of Leave on Half Pay at the time of retirement of teachers working in the Municipal, Panchayat Raj and Aided schools – Orders – Issued.

FINANCE (HR.IV) DEPARTMENT

G.O.MS.No. 148

Dated: 21-08-2017
Read the following:-

G.O. Ms.No.154, Finance (FR.I) Department, Dt. 04.05.2010

* * *

ORDER:-

In the reference read above, orders were issued adopting the formula for calculation of encashment of Leave on Half Pay at the time of retirement / death in the case of State Employees subject to the condition that the total number of days of earned leave + leave on half pay put together should not exceed 300 days for encashment as indicated below.

Cash payment in lieu of half pay leave component	=	Half pay leave salary admissible on the date of retirement plus D.A. admissible on that date	X	No. of days of half pay leave at credit subject to the total of earned leave and half pay leave at credit not exceeding 300 days.
		30		

2. Several representations from the Employees' Associations have been received to extend orders issued in the reference read above to the teachers working in aided institutions and local bodies. The Pay Revision Commission 2010 of Government of Andhra Pradesh has also recommended to extend facility of encashment of Earned Leave, including the Half Pay Leave upto a maximum of 300 days to them also.

Contd..2

3. After careful examination of the matter, Government hereby order to extend the orders issued in the reference read above to the teachers working in the Municipal, Panchayat Raj and Aided schools on par with the Government employees.

4. The G.O. is available on Internet and can be accessed at the address <http://www.ap.gov.in/goir> and <http://www.apfinance.gov.in>

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**MUDDADA RAVICHANDRA
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)**

To

All the Departments of Secretariat

The Accountant General, AP., Hyd.

The Director of Treasuries and Accounts, Ibrahimpatnam, Vijayawada

The Pay & Accounts Officer, Ibrahimpatnam, Vijayawada

All the District Treasury Officers.

The Secretary to Governor, A.P., Hyderabad.

The Private Secretary to the Chief Minister and Private Secretaries to all Ministers.

All the Heads of Departments (including Collectors and District Judges).

The Registrar, The High Court of Judicature at Hyderabad.

The Secretary, Andhra Pradesh GENCO/TRANSCO]

The General Manger, A.P., State Road Transport Corporation, Vijayawada

All District Educational Officer.

All the District Development Officer.

All District Panchayat Officers.

All Secretaries of Zilla Grandhalaya Samsthas through Director of Public Libraries, Vijayawada

All Secretaries of Agricultural Market Committees through Director of Marketting,A.P., Vijayawada.

All Commissioners/Special Officers of Municipalities.

All Recognized service Associations.

The Director, Government Printing Press, A.P., Vijayawada for publication in the A.P. Gazette.

Copy to :

The General Administration (Cabinet) Department.

The General Administration (SW) Department.

SF/SCs

//FORWARDED :: BY ORDER //

SECTION OFFICER



PROCEEDINGS OF THE COMMISSIONER OF SCHOOL EDUCATION
ANDHRA PRADESH :: IBRAHIMPATNAM :: VIJAYAWADA

PRESENT: K. SANDHYA RANI, I.P.Os.

Rc.No. 118/Pension-1/2012.

Dated: 23/08/2017.

Sub: School Education – Encashment of Half Pay Leave at the time of retirement of teachers working in the Municipal, Panchayat Raj and Aided Schools – Orders - Issued – Reg.

- Ref:
1. G.O.Ms.No. 154, Finance (FR. I) Department, dated 04.05.2010.
 2. Lr.Rc.No. 118/R1-1/2012, dated 31.10.2013 of the Commissioner of School Education, Andhra Pradesh, Hyderabad.
 3. Govt.Memo.No. 7380/PE. Ser. 1/2012, dated 25.03.2017.
 4. Proc.Rc.No. 118/Pension-1/2012, dated 05.05.2017 and 22.05.2017 (reminder) of this office.
 5. Govt.Memo.No. 7380/Ser. II/A2/2012, dated 29.05.2017 (copy enclosed).
 6. Lr.Rc.No. 118/R1-1/2012, dated 14.06.2017 of the Commissioner of School Education, Andhra Pradesh, Ibrahimpatnam, Amaravathi.
 7. G.O.Ms.No. 148, Finance (HR.IV) Department, dated 21.08.2017 (copy enclosed).

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While enclosing a copy of the reference 7th cited, all the District Educational Officers and Regional Joint Directors of School Education in the State are requested to implement the G.O.Ms.No. 148, Finance (HR.IV) Department, dated 21.08.2017 and instruct all the subordinate officers under your control without any further delay so as to enable to avoid legal complications in the matter.

This should be treated as "**MOST URGENT**".

Encl: - As stated above.

A. Subba Reddy
Commissioner of School Education

To
All District Educational Officers in the State.
Copy to all Regional Joint Directors of School Education in the State.

//T.C.F.B.O.//

Endt Rc.no- 7095/A4/2017

Dated. 06.09.2017

P. Nagamma
SUPERINTENDENT
o/o the
District Educational Officer
West Godavari Dist. ELURU

True Copy Communicated to the all Mandal & Educational officers and Deputy Educational officers and correspondents of Aided Schools for taking further necessary action.

for District Educational Officer
West Godavari Dist. ELURU
06/09/2017

To
The All Mandal Educational Officers & Deputy Educational officers in the district
The Correspondents of Aided schools in the District

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

LEAVE RULES - Encashment of Leave on Half Pay at the time of retirement of the teaching and non-teaching staff working in the Aided Junior Colleges / Degree Colleges / Oriental Colleges and also for teaching and non-teaching staff working in PR, Municipality and Aided Schools with retrospective effect– Orders – Issued.

FINANCE (HR.IV) DEPARTMENT

G.O.MS.No. 90

Dated: 08-06-2018

Read the following:-

1. G.O. Ms.No.154, Finance (FR.I) Department, Dt. 04.05.2010.
2. G.O. Ms.No.148, Finance (HR.IV) Department, Dt. 21.08.2017.
3. G.O.Ms.No.186, Finance (HR.IV) Department, dated.27.11.2017.
4. Orders of Hon'ble Andhra Pradesh Administrative Tribunal in O.A. No. 6775/2014, O.A.No.323/2017, dated.10.02.2017and 652 of 2018, dated.11.04.2018.
5. Several Representations including representations of Sri Gade Srinivasulu Naidu, Sri Rama Surya Rao, Dr.A.S.Rama Krishna, Sri Balasubrahmanyam, and Sri Kathi Narasimha Reddy, Hon'ble Members of A.P. Legislative Council.

* * *

ORDER :

Government of India vide Office Memorandum 14020/1/90-Estt. (L) dated 6.4.1993, Department of Personnel & Training allowed encashment of Half Pay Leave at the credit of Government servants who retire on superannuation subject to the condition that pension and pension equivalent of other retirement benefits be deducted from the amount payable as cash equivalent. The State Government in pursuance of the recommendations of the High Power Committee extended the benefit of encashment of Half Pay Leave at the credit of State Government employee on retirement as applicable to Central Government employees.

2. Based on the recommendations of 6th CPC, the Government of India issued revised orders changing the formula vide O.M.No.14028/3/2008 - Estt. (L) dated: 25th September, 2008. The Ninth Pay Revision Commission recommended to adopt the same formula in the case of encashment of leave also subject to the condition that the total number of days of earned leave + leave on half pay put together should not exceed 300 days for encashment. Accordingly orders were issued in G.O.Ms.No154, Finance(F.R.I) Department, dated:04.05.2010.

3. On the reference from the Director of School Education, a clarification was issued vide Memo No. 7380/PE. Ser I/2012 dated 10.12.2012 that orders issued in G.O.Ms.No.154, Finance(F.R.I) Department, dated 04.05.2010 are applicable to the Government employees and not applicable to the employees of the Panchayat Raj and Municipal institutions. It led to large number of teachers approaching to the Hon'ble APAT.

4. The Tenth Pay Revision Commission recommended to extend the facility of encashment of Earned Leave, including the Half Pay Leave up to a maximum of 300 days to all the employees, teaching as well as non-teaching staff of aided institutions and local bodies i.e., Aided Junior Colleges/Degree Colleges/Oriental Colleges and also for teaching and non-teaching staff of Aided Schools and the employees of Panchayat Raj and Municipal institutions.

5. The Hon'ble APAT allowed the OA No. 6775/2014 on 31.12.2015 with the following observations :

"This Court had an occasion to deal with the issue whether the employees including teachers of the Panchayat Raj & Municipal Institutions , ZP and MP Institutions are Govt. Servants or not and it was held by this court in OA No.1668/2015 and batch dt:15.12.2015 that the employees including teachers of the Panchayat Raj & Municipal institutions are government servants. So, in view of the same, the said issue is held in favour of the applicant in the present case also and consequently the Impugned Govt. Memo No.7380/PE- Ser.I / 2012, dated 10-12-2012 Education (P.E.) Department is set aside and the respondents are directed to allow the applicant to encash the half pay leave in terms of G.O.Ms. No. 154 Finance (F.R.-I) Department, dated: 4-5-2010 with all consequential benefits".

6. Accordingly, orders were issued in the references second read above, extending the orders issued in the reference first read above to the teaching and non-teaching staff working in the Municipal, Panchayat Raj and Aided Institutions on par with the Government employees. In the reference third read above, the same facility was extended to the teaching and non-teaching staff of Aided Junior Colleges/Degree Colleges/Oriental Colleges and also for non-teaching staff of PR, Municipality and Aided Schools on par with the Government employees.

7. Several court cases have been filed and they were allowed on the analogy of the above directions of the Hon'ble A.P. Administrative Tribunal. Several representations have been received and Hon'ble Members of A.P.Legislative Council particularly the teachers' representatives raised the issue and requested the Government to implement the orders of Hon'ble APAT with retrospective effect i.e. from the date of issue of orders in the reference first cited.

8. Government after careful examination of the matter and keeping in view that homogeneous group of employees cannot be discriminated, in suppression of the orders issued in GO third read above hereby order that the orders issued in the reference first read above be extended to the teaching and non-teaching staff working in the Aided Junior Colleges / Degree Colleges / Oriental Colleges and also for teaching and non-teaching staff working in PR, Municipality and Aided Schools with effect from 4.05.2010.

9. The G.O. is available online and can be accessed at the address <http://www.ap.gov.in/goir> and <http://www.apfinance.gov.in>.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**MUDDADA RAVICHANDRA
PRINCIPAL FINANCE SECRETARY TO GOVERNMENT (FAC)**

To

All the Departments of Secretariat

The Commissioner and Director of School Education,

The Commissioner of Intermediate Education,

The Commissioner of Collegiate Education,

The Accountant General, AP., Hyd.

The Director of Treasuries and Accounts, Ibrahimpatnam, Vijayawada

The Pay & Accounts Officer, Ibrahimpatnam, Vijayawada

All the District Treasury Officers.

The Secretary to Governor, A.P., Hyderabad.

The Private Secretary to the Chief Minister and Private Secretaries to all Ministers.

All the Heads of Departments (including Collectors and District Judges).

All District Educational Officer.

All the District Development Officer.

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Copy to :

The General Administration (Cabinet) Department.

The General Administration (SW) Department.

SF/SCs

//FORWARDED:: BY ORDER//

SECTION OFFICER