

AZAD JAMMU & KASHMIR REVISED LEAVE RULES, 1983

“Muzaffarabad”
Dated: 12th April, 1983

NOTIFICATION:

No. FD/R/ 68/ 82. In exercise of the powers conferred by Section 23 of the Civil Servants Act, 1976, the President Azad Jammu and Kashmir is pleased to make the following rules, namely:-

1. **Short Title, Application and Commencement:-** (1) These rules may be called the Revised Leave Rules, 1983.
 - (2) They shall apply to all civil servants other than those who were employed before the first day of July, 1978, and opted not to be governed by the Revision of Leave Rules issued under the Finance Department, Azad Government of the State of Jammu & Kashmir Circular No. FD/ 13631-13731/78, dated 24.12.1978.
 - (3) They shall come into force at once.
2. **When Leave Earned:-** (1) All service rendered by a civil servant qualifies him to earn leave in accordance with these rules but shall not be earned during the period of leave.
 - (2) Any period spent by a civil servant in Foreign Service qualifies him to earn leave provided that contribution towards leave salary is paid to the Government on account of such period.
3. **Earning and Accumulation of Leave:-** (1) A civil servant shall earn leave only on full pay which shall be calculated at the rate of four days for every calendar month of duty rendered and credited to the leave account as “Leave on full pay”.
 - (2) Duty period of fifteen days or less in a calendar month shall be ignored and that of more than fifteen days shall be treated as full calendar month for the purpose of calculation of earned leave.
 - (3) If a civil servant proceeds on leave during a calendar month and returns from it during another calendar month and the period of duty in either month is more than fifteen days, the leave to be credited for both the incomplete months shall be restricted to that admissible for one full calendar month only.
 - (4) There shall be no maximum limit on the accumulation of such leave.

4. **Civil Servants in Vacation Department:-** (1) A civil servant in Vacation Department may earn leave on full pay: -
- (a) When he avails himself of full vacation in a calendar year at the rate of one day for every calendar month of duty rendered;
 - (b) When during any year he is prevented from availing himself of the full vacation as for a civil servant in a non-vacation department for that year; and
 - (c) When he avails himself of only a part of the vacation-- as in (a) above plus such proportion of thirty days as the number of days of vacation not taken bears to the full vacation.
- (2) The provisions under rule 3 (2-4) shall also be applicable in the case of civil servants of a Vacation Department.
5. **Leave on Full Pay:-** The maximum period of leave on full pay that may be granted at one time shall be as follows:-
- | | | |
|-----|---|----------|
| (a) | Without medical certificate | 120 days |
| (b) | With medical certificate | 180 days |
| | plus | |
| (c) | On medical certificate from leave account in entire service | 365 days |
- Note:** Under Leave Rules, leave on half average pay could be converted into leave on full pay on the strength of Medical Certificate upto a maximum of twelve months in terms of leave on full pay in the whole service. The account of this kind of leave was separately maintained in the leave account under the said Rules. Such leave availed of by the civil servants before the introduction of these rules, shall be debited against the maximum limit of 365 days fixed under this rule.
6. **Leave on Half Pay:-** (1) Leave on full pay may, at the option of the civil servant, be converted into leave on half pay, the debit to the leave account will be at the rate of one day of the former for every two days of the latter, fraction of one half counting as one full day leave on full pay.
- (2) The request for conversion of leave referred in sub-rule (I) shall be specified by the civil servant in application for the grant of leave.
 - (3) There shall be no limit on the grant of leave on half pay so long as it is available by conversion in the leave account.
7. **Leave to be Applied etc:-** In terms of days-- Leave shall be applied for, expressed, and sanctioned, in terms of days.

8. **Carry Forward of Existing Leave:-** All leave at credit in the account of a civil servant on the first day of July, 1978, shall be carried forward and expressed in terms of leave on full pay and the leave account in such cases shall, with effect from the first day of July, 1978, or in the case of a civil servant who was on leave on that date, with effect from the date of his return from leave, be recast as under: -

(i)	Leave on full pay:	
(a)	1 month	30 days
(b)	1 day	1 day
(ii)	Leave on half pay:	
(a)	1 month	15 days
(b)	2 days	1 day

Note: Fractions, if any shall be ignored.

9. **Extraordinary Leave (leave without pay):-** (1) Extraordinary leave without-pay may be granted on any ground upto a maximum period of five years at a time, provided that the civil servant to whom such leave is granted, has been in continuous service for a period of not less than ten years, and, in case a civil servant has not completed ten years of continuous service, extraordinary leave without pay for a maximum period of two years may be granted at the discretion of the head of his office.

Provided that the maximum period of five years shall be reduced by the period of leave on full pay or half pay, if granted in combination with the extraordinary leave.

(2) Extraordinary leave upto a maximum period prescribed under sub-rule (1) may be granted, subject to the conditions stated therein, irrespective of the fact whether a civil servant is a permanent or a temporary employee.

¹[The Competent Authority, Finance Department, in consultation with the Administrative Department, may in case in which it is satisfied that extraordinary leave was taken for on account of illness/higher studies and that the course of study will be useful for the department, or any cause beyond the Government servant's control, direct that Extra Ordinary leave shall be counted for increments and also decided that where a female Government Servants accompanies or joins her husband on official duty abroad by availing on extra ordinary leave shall be counted towards annual increments.]

10. **Recreation Leave:-** Recreation leave may be granted for fifteen days once in a financial year, the debit to the leave account may, however, be for ten days leave on full pay.

¹ Added vide Circular No. FD/R/1-(68)/89 Part-III/97 dated 26.12.1997.

Provided that such leave shall not be admissible to a civil servant in a vacation department.

Note: Casual leave (as Recreation leave) shall however continue to be granted for 10 days only subject to other conditions under the Government instructions.

11. **Leave not Due:**- (1) Leave not due may be granted on full pay, to be off-set against leave to be earned in future, for a maximum period of three hundred and sixty five days in the entire period of service, subject to the condition that during the first five years of service it shall not exceed ninety days in all.
 - (2) Such leave may be converted into leave on half pay.
 - (3) Such leave shall be granted only when there are reasonable chances of the civil servant resuming duty on the expiry of the leave.
 - (4) Such leave shall be granted sparingly and to the satisfaction of the sanctioning authority but it shall not be admissible to temporary civil servants.
12. **Special Leave:**- (1) A female civil servant, on the death of her husband, may be granted special leave on full pay, when applied for a period not exceeding one hundred and thirty days.
 - (2) Such leave shall not be debited to her leave account.
 - (3) Such leave shall commence from the date of death of her husband and for this purpose she will have to produce death certificate issued by the competent authority either along with her application for special leave or, if that is not possible, the said certificate may be furnished to the leave sanctioning authority separately.
13. **Maternity Leave:**- (1) Maternity leave may be granted on full pay outside the leave account, to a female civil servant to the extent of ninety days in all from the date of its commencement (as specified in the application for leave) or forty-five days from the date of her confinement, whichever be earlier.
 - (2) Such leave may not be granted for more than three times in the entire service of a female civil servant except in the case of a female civil servant employed in a vacation department who may be granted maternity leave without this restriction.
 - (3) For confinements beyond the third one, the female civil servants (in a non-Vacation Department) would have to take leave from her normal leave account.
 - (4) The spells of maternity leave availed of prior to the coming into force of these rules shall be deemed to have been taken under these rules.

- (5) Maternity leave may be granted in continuation of, or in combination with, any other kind of leave including extra-ordinary leave as may be due and admissible to a female civil servant.
- (6) Leave salary to be paid during maternity leave shall be regulated as for other leave, in accordance with the existing instructions of the Government.
- (7) The leave salary to be paid during maternity leave will, therefore, remain unaffected even if an increment accrues during such leave and the effect of such an increment will be given after the expiry of maternity leave, in the event of resumption of duty by such female civil servant.
14. **Disability Leave**:- (1) Disability leave may be granted, outside the leave account on each occasion, upto a maximum of seven hundred and twenty days on such medical advice as the head of office may consider necessary, to a civil servant, other than a civil servant in part-time service etc. disabled by injury, ailment or disease contracted in course or in consequence of duty or official position.
- (2) The leave salary during disability leave shall be equal to full pay for the first one hundred and eighty days and on half pay for the remaining period.
15. **Leave ex-Pakistan**:- (1) Leave ex-Pakistan may be granted on full pay to a civil servant who applied for such leave or who proceeds abroad during leave, or takes leave while posted abroad or is otherwise on duty abroad, and makes a specified request to that effect.
- (2) The leave pay to be drawn abroad (in foreign currency) shall be restricted to a maximum of three thousand rupees per month.
- (3) The leave pay shall be payable in Sterling if such leave is spent in Asia other than Pakistan and India.
- (4) Such leave pay (in foreign currency) shall be payable for the actual period of leave spent abroad subject to a maximum of one hundred and twenty days at a time.
- (5) The civil servants appointed after the 17th May, 1958, shall draw their leave salary in rupees in Pakistan irrespective of the country where they happen to spend their leave.
- (6) Grant of leave ex-Pakistan will be regulated and subjected to the same limits and conditions as prescribed in rules 5, 6 and 9.

16. **Leave Preparatory to Retirement**:- (1) The maximum period upto which a civil servant may be granted, leave preparatory to retirement shall be three hundred and sixty five days.
- (2) Such leave may be taken, subject to availability, either on full pay or partly on full pay and partly on half pay, or entirely on half pay, at the discretion of the civil servant.
17. **Encashment of Refused Leave Preparatory to Retirement**:- (1) If, in case of retirement on superannuation ²[or voluntary retirement on completion of thirty years qualifying service] a civil servant cannot, for reasons of public service, be granted leave preparatory to retirement duly applied for in sufficient time, he will in lieu thereof, be granted lump sum leave pay for the leave refused to him subject to a maximum of ³[three hundred and sixty five days] leave on full pay.
- (2) Such leave can be refused partly and sanctioned partly but the cash compensation shall be admissible for the actual period of such leave so refused not exceeding [three hundred and sixty five days].
- (3) The payment of leave pay in lieu of such refused LPR may be made to the civil servant either in lump sum at the time of retirement or may, at his option be drawn by him month wise for the period of leave so refused.
- (4) For the purpose of lump-sum payment in lieu of such refused leave, only the “Senior Post Allowance” will be included in “Leave Pay” so admissible.
- (5) In case a civil servant preparatory to retirement dies before completing [three hundred and sixty five days] of such leave, his family shall be entitled to lump sum payment equal to the period falling short of [three hundred and sixty five days].
- ⁴(6) Encashment of leave preparatory to retirement (LPR) not exceeding three hundred and sixty five days shall be effective from the first day of September, 2013 and shall, for the entire period of leave refused or opted for encashment, be applicable to a civil servant retired or, as the cases may be, retiring on or after the first day of September, 2013, provided such leave is available at his credit subject to a maximum of three hundred and sixty five days.
- (6-A) The encashment of LPR shall also be applicable to employees of the autonomous and semi- autonomous bodies under Administrative control of

² Inserted vide Notification No. F.D/RI15124-15224/88 dated 14.09.1988.

³ Substituted vide Notification No. FD/R/17898-17970/2013 dated 31.10.2013.

⁴ Inserted vide Notification No. FD/R/17898-17970/2013 dated 31.10.2013.

the AJ&K Govt. which have adopted basic pay scales schemes and these rules in to.

(6-B) If at any time during such period, leave is granted on account of ill health supported by Medical Certificate or for performance of Hajj, the amount of cash compensation on account of leave pay shall be reduced by an amount equal to the leave pay for the period of leave so granted.

(6-C) Leave pay for the purpose of encashment of LPR shall be computed on the basis of pay and allowances reckonable towards pension as shown in the last pay certificate of a civil servant.]

18. Power to Refuse Leave Preparatory to Retirement, etc:- (1) Ordinarily, leave preparatory to retirement on superannuation shall not be refused.

(2) All orders refusing leave preparatory to retirement to a civil servant and recalling a civil servant from leave preparatory to retirement shall be passed only by the authorities specified below:-

(i)	For civil servants of Grade 17 and above.	Chief Secretary personally.
(ii)	For civil servants of Grade 16 and below	Secretary of the Administrative Department concerned personally

(3) The authorities specified in sub rule (2) shall not delegate these powers to any other authority.

(4) All proposals regarding refusal of such leave to an officer of Grade 17 and above shall be referred to the Chief Secretary, with detailed justification at least three months before an officer is due to proceed on such leave.

19. In-Service Death:-⁵[(1) In case a civil servant dies, or declared permanently incapacitated for further service while in service by a medical board, a lump sum payment equal to leave pay upto⁶[three hundred and sixty] days out of the leave to his credit shall be made to his family as defined for the purposes of family pension or, as the case may be, to the civil servant.

(2) For the purpose of lump sum payment under sub rule (1), only the “Senior Post Allowance” will be included in the “leave Pay” so admissible.]

20. Reasons Need not be Specified, etc:- (1) It shall not be necessary to specify the reason for which leave has been applied so long as that leave is due and admissible to a civil servant.

⁵ Amended vide Notification No. FD/R/15225-15325/88 dated 14.09.1988.

⁶ Substituted vide Notification No. FD/R/21005-21204 /2014 dated 10.11.2014.

(2) Leave applied for on medical certificate shall not be refused:

Provided that the authority competent to sanction leave may, at its discretion, secure a second medical opinion by requesting the Civil Surgeon or Medical Board, as the case may be, to have applicant medically examined.

21. **Leave When Starts and Ends:-** Instead of indicating whether leave starts or ends in the forenoon or afternoon, leave may commence from the day following that on which a civil servant hands over the charge of his post and may end on the day preceding that on which he resumes duty.
22. **Re-call from Leave, etc:-** (1) If a civil servant is recalled to duty compulsorily with the personal approval of the head of his office from leave of any kind that he is spending away from his headquarters, he may be granted a single return fare plus daily allowance as admissible on tour from the station where he is spending his leave to the place where he is required to report for duty.
- (2) In case, the civil servant is recalled to duty at headquarters and his remaining leave is cancelled, the fare then admissible shall be for one way journey only.
- (3) If the return from leave is optional, the civil servant is entitled to no concession.
23. **Overstay after Sanctioned Leave etc:-** (1) Unless the leave of a civil servant is extended by the head of his office, a civil servant who remains absent after the end of his leave shall not be entitled to any remuneration for the period of such absence, and without prejudice to any disciplinary action that may be taken against him, double the period of such absence shall be debited against his leave account.
- (2) Such debit shall, if there is insufficient credit in the leave account, be adjusted against future earnings.
24. **Any Type of Leave may be Applied for:-** A civil servant may apply for any type of leave which is due and admissible to him and it shall not be refused on the ground that another type of leave should be taken in the particular circumstances, for example, a civil servant may apply for extraordinary leave or leave on half pay even if leave on full pay is otherwise due and admissible to pay him, or he may proceed on extraordinary leave followed by leave on half pay and full pay rather than that on full pay, half pay and without pay.
25. **Combination of Different Types of Leave etc:-** One type of leave may be combined with joining time or with any other type of leave otherwise admissible to the civil servant:

Provided that the preparatory to retirement shall not be combined with any other kind of leave.

⁷[25-A. **Combination of Vacations with Leave**:- In case of Government servants serving in vacation departments, vacation may be prefixed or affixed to leave, or both prefixed and affixed or allowed to intervene between two periods of leave, subject to the conditions mentioned in rule 101, 102, 103, 105, 106, 110, 112, (a, b & c), 114, 123, 124, 125, 126, 133-A, 133-B, 141, 142, 143, 153, 153-A, 153-B, (a,b), 153-C, 154, 155, 156, 157, (b,c) of K.S.R Volume-1.

Previous approval of the Finance Department should be obtained in cases where such combinations of vacation with the leave involve extra expense to Government.

Note: Unless contrary appears from the context vacation counts as a duty and not as leave.]

26. **Civil Servant on Leave not to Join Duty without Permission Before its Expiry**:- Unless he is permitted to do so by the authority which sanctioned his leave, a civil servant on leave may not return to duty before the expiry of the period of leave granted to him.
27. **Leave Due may be Granted on Abolition of Post, etc**:- (1) When a post is abolished, leave due to the civil servant, whose services are terminated in consequence thereof, shall be granted without regard to the availability of a post for the period of leave.
(2) The grant of leave in such cases shall, so long as he does not attain the age of superannuation, be deemed automatically to have also extended the duration of the post and the tenure of its incumbent.
28. **Manner of Handing Over Charge when Proceeding on Leave etc**:- (1) A civil servant proceeding on leave shall hand over the charge of his post, and if he is in grade 16 and above, he shall while handing over charge of the post, sign the charge relinquishment report.
(2) If leave ex-Pakistan has been sanctioned on medical grounds, the civil servant shall take abroad with him a copy of the medical statement of his case.
29. **Assumption of Charge to Return from Leave etc**:- (1) A civil servant, on return from leave, shall report for duty to the authority that sanctioned his leave and assume charge of the post to which he is directed by that authority unless such direction has been given to him in advance.

⁷ Inserted vide Notification No. FD/R/I(362)/90 dated 13.05.1990.

(2) In case he is directed to take charge of a post at a station other than that from where he proceeded on leave travel expenses as on transfer shall be payable to him.

30. Account Officer to Maintain Leave Account:- (1) Leave account in respect of a civil servant shall be maintained as part of his Service Book.

(2) The Accounts Officers shall maintain the leave accounts of civil servant of whom they were maintaining the accounts immediately before the coming into force of these rules.

31. Leave to Lapse when Civil Servant Quits Service:- All Leave at the credit of a civil servant shall lapse when he quits service.

32. Pay During Leave:- (1) Leave pay admissible during leave on full pay shall be the greater of;

(a) The average monthly pay earned during the twelve complete months immediately preceding the month in which the leave begins, and

(b) The pay drawn on the day immediately before the beginning of the leave.

(2) When leave on half pay is taken, the amounts calculated under clauses (a) and (b) of sub rule (1) shall be halved to determine the greater of the two rates.

(3) ⁸[A civil servant shall be entitled to the leave pay at the revised rate of pay if a general revision in pay of civil servant takes place or an annual increment occurs during the period of leave of the civil servant.]

33. Leave Earned by Civil Servant Employed in Non Continuous Establishment:- (1) A civil servant employed in a non continuous establishment may be granted only earned leave and disability leave as admissible to, and subject to the conditions laid down for, a civil servant employed in a continuous establishment and no other kind of leave shall be admissible to such civil servant.

(2) A civil servant who is transferred from a non-continuous establishment to a continuous establishment and vice-versa, shall carry forward the balance of earned leave at his credit on the date of his transfer.

Explanation: In this rule, “non-continuous establishment” means an establishment, which does not function throughout the year, and “continuous establishment” means an establishment which functions throughout the year.

34. Quarantine Leave:- (1) Quarantine leave is in the nature of extra causal leave and a substitute shall normally not be employed during the absence of a civil servant on such leave;

⁸ Added vide notification No. FD/R/I(68)/94 dated 01.12.1994.

Provided that where exigencies of service are compelling, the Head of the Office may employ a substitute for reasons to be recorded in writing.

(2) A civil servant may be granted quarantine leave outside his leave account to the extent that his authorized medical attendant recommends and the period of such leave shall be treated as duty with full pay and allowances of the post held by him at the time of proceeding on leave.

35. Leave Application, its Sanctions, etc:- (1) Except where otherwise stated, an application for leave or for an extension of leave must be made to the Head of Office where a civil servant is employed and, in the case of the Head of Office, to the next above administrative authority and the extent of leave due and admissible shall be stated in the application.

(2) An audit report shall not be necessary before the leave is sanctioned.

(3) When a civil servant submits a medical certificate for the grant of leave, it shall be, by an authorized medical attendant in the form attached to these rules.

(4) Leave as admissible to a civil servant under these rules may be sanctioned by the Head of Administrative Department, Attached Department, Office or any other officer authorized by him to do so and, when so required, leave shall be notified in the Official Gazette.

(5) In cases where all the applications for leave cannot, in the interest of public service be sanctioned to run simultaneously, the authority competent to sanction leave shall, in deciding the priority of the applications, consider:

- (i) Whether, and how many applicants can, for the time being, best be spared;
- (ii) Whether any applicants were last re-called compulsorily from leave; and
- (iii) Whether any applicants were required to make adjustment in the timing of their leave on the last occasion.

36. Hospital Leave and Study Leave:- Subject to these rules, the provisions regarding Hospital Leave and Study Leave continue in the K.S.R (Azad Kashmir) shall continue to apply to the Civil Servant.

Sd/--
(Abdul Rashid Baig)
Under Secretary Finance
(Regulations)

**FORM-I
FORM OF MEDICAL CERTIFICATE**

Signature of applicant _____

**MEDICAL CERTIFICATE FOR CIVIL SERVANTS
RECOMMENDED FOR LEAVE OR EXTENSION**

I, _____ after care full personal examination of the case, hereby certify that whose signature is given above, is suffering from _____ and I consider that a period of absence from duty of _____ with effect from _____ is absolutely necessary for the restoration of his health.

Dated, the _____.

Government Medical Attendant

APPLICATION FOR LEAVE

Notes: Item 1 to 9 must be filled in by all applicants. Item 12 applies only in the case of Government servants of Grade 16 and above.

1. Name of Applicant
2. Leave Rules applicable
3. Post held
4. Department or Office
5. Pay
6. House Rent Allowance, Conveyance Allowance or other Compensatory Allowance drawn in the present post.
7. (a) Nature of leave applied for.
(b) Period of leave in days.
(c) Date of commencement.
8. Particular Rule/ Rules under which leave is admissible.

9. (a) Date of return from last leave.
(b) Nature of leave.
(c) Period of leave in days.

Dated

Signature of Applicant

10. Remarks and recommendation of the Controlling Officer
11. Certified that leave applied for is admissible under Rule and necessary conditions are fulfilled.

Dated: _____

Signature _____

Designation _____

12. Report of Audit Officer.

Dated: _____

Signature _____

Designation _____

13. Orders of the sanctioning authority certifying that on the expiry of leave the applicant is likely to return to the same post carrying the compensatory allowances being drawn by him.

Dated: _____

Signature _____

Designation _____

**FORM OF LEAVE ACCOUNT UNDER REVISED RULES,
1983**

Leave account of Mr./Miss/Mrs: _____

Date of commencement of service: _____

Date of attaining the age of superannuation: _____

1			From	
2			To	
3	Period of duty		Y.M.D	
4			Full Calendar Month	
5	Leave earned on full pay 4 days for each calendar month		Days	
6	Leave at credit (Column 21+6)		Days	
7	Period		From	
8			To	
9	Leave on full pay without Medical Certificate subject to maximum 120 days & 360 days in case L.P.R		Days	
10	Leave on full pay on Medical Certificate subject to maximum of 180 days		Days	
11	Leave on full pay on Medical subject to maximum of 365 days in entire service.		Days	
12	Leave Taken	Leave on half pay	In terms of half pay In terms of full pay	Days
		Recreations leave of 15 days but 10 days to be debited.		Days
		Leaves not due	In terms of half pay In terms of full pay	Days
		Absence	Actual No. of days	Days
			No. of days debited (double the actual no.)	Days
Total Leave (Column 10+11+12+14+15+17+19)		Days		
13	Balance on 1-7-1978/ Return from leave (Column 7-20)			
14	Remarks			
15	Attestation			

EXPLANATORY INSTRUCTIONS FOR FILLING UP THE LEAVE ACCOUNT FORM

1. This leave account will be maintained for all civil servants of the Azad Government of the State of Jammu and Kashmir who were in service on the 1st July, 1978 including those who were on leave on that date and have not opted to retain the existing leave rules and all others who entered service on or after 1st July, 1978.
2. All leave at credit in the account of a Civil Servant who was in service on the 1st July, 1978, shall be converted in terms of leave on full pay at the following rates: -
 - (i) **L.F.P**

(a)	1 month	30 days
(b)	1 day	1 day
 - (ii) **L.H.P**

(a)	1 month	15 days
(b)	2 days	1 day

(Fractions if any to be ignored)
3. The leave account shall commence with an opening entry "due on 1st July, 1978" or in the case a civil servant, who was on leave on 1st July, 1978, with effect from the date of his return from leave. For the purpose of computing the leave at credit, the service up to 30th June, 1978 will be taken into account. The leave due in terms of leave on full pay in days will be noted in column No. 21.
4. (1) In calculating the leave earned on full pay the rate of 4 days for every calendar month the duty period of 15 days or less in a calendar month shall be ignored and those of more than 15 days shall be treated as a full calendar month for the purpose. If a civil servant proceeds on leave during a calendar month and returns from it during another calendar month and the period of duty in either month is more than 15 days, the leave to be credited for both the incomplete months will be restricted to that admissible for one full calendar month only. There shall be no maximum limit on account of accumulation of this leave.
 - (2) (i) The provision (1) above will not apply to a vacation department. In its case, a civil servant may earn leave on full pay.
 - (a) When he avails himself of full vacation in a calendar year at the rate of one day for every calendar month of duty rendered.
 - (b) When during any year he is prevented from availing himself of full vacation as for civil servant in a non-vacation department for that year, and

- (ii) When he avails himself of only a part of the vacation as in (a) above, plus such proportion of thirty days as the number of days of vacation not taken bears to the full vacation.
5. (a) Leave on full pay may be converted into leave on half pay at the option of the civil servant, the debit to the leave account will be at the rate of one day of the former for every two days of the latter, fraction of one half counting as one full days leave on full pay. The request for such conversion shall be specified by the civil servant in his application for the grant of leave.
- (b) There shall no limit on the grant of leave on half pay so long as it is available by conversion in the leave account.
6. L.P.R on full pay will be noted in column No. 10 while that on half pay in columns No. 13 and 14.
7. Leave not due may be granted on full pay to be off-set against leave to be earned in future for a maximum period of 365 days in the entire period of service subject to the conditions that during the five years of service it shall not exceed 90 days in all. Such leave may be converted into leave on half pay. It shall be granted only when there are reasonable chances of the civil servant resuming duty.
8. The grant of special leave, Maternity Leave, Disability Leave, Extraordinary Leave, payment of leave pay for refused LPR upto maximum of 180 days lump-sum payment equal to full pay upto 180 days out of leave at credit made to the family of a Government servant whose death occurs while in service, Seaman sick leave, Departmental Leave, Study Leave, Hospital Leave and Quarantine Leave shall be noted in column No. 22. Maternity Leave other than three times in entire service shall however be debited to the relevant column of the leave account.
9. When a Government servant applies for leave column 2 to 7 shall be filled in showing the period of duty upto the date proceeding that on which a Government servant intends to go on leave. The full calendar months to be noted in column 5 shall be worked out on the lines indicated in para 4 above.
10. When a Government servant returns from leave, column 8 to 23 shall be filled in according to the nature of leave. If leave not due is availed of the minus balance to be shown in column No. 21 should be written in red ink.

No. FD/2908-3008/84
AZAD GOVT. OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)

“Muzaffarabad”
Dated: 11th March, 1984

Subject: Encashment of Leave Preparatory to Retirement.

I am directed to refer to para 10 of this Department's letter No. FD/278-338/84 dated 4.1.1984 and to further clarify that for the purpose of encashment of LPR the Government servants whose Leave Preparatory to Retirement (LPR) was due to commence between 26th August, 1983 and 1st December, 1983 (both days inclusive) and who had opted, at any time during the said period, not to take leave preparatory to retirement, the conditions mention at (a) in the said para 10 will not be applicable.

Sd/--
(Ghulam Ahmed Abbasi)
Deputy Secretary Finance
(Regulations)

No. FD/7170-7269/85
AZAD GOVT. OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)

“Muzaffarabad”
Dated: 20th May, 1985

Subject: Encashment of Leave Preparatory to Retirement.

I am directed to say that according to rule 17 of Revised Leave Rules, 1983 read with para 21 of the Finance Department's circular letter No. 8748-8808 dated 29.08.1983, a civil servant on superannuation is entitled to encashment of Leave Preparatory to Retirement subject to maximum of one hundred and eighty days.

2. A doubt has arisen whether or not a civil servant who proceeds on voluntary retirement after completion of thirty years' service qualifying for pension shall be allowed encashment of LPR. It is clarified that a civil servant is entitled to encashment of Leave Preparatory to Retirement under rule 17 of Revised Leave Rules 1983, read with para 21 of Finance Department's circular letter No. 8748-8808/83 dated 29-08-1983 and para 11 (a) of letter No. FD/278-338/84 dated 04.01.1984 subject to the conditions that:-

- (i) He has completed at least 30 years qualifying service on the date of commencement of LPR.
- (ii) He surrenders the entire LPR due to him.

Sd/--
(Ch. Muhammad Latif)
Joint Secretary Finance
(Regulations)

No. FD/7070-7169/85
AZAD GOVT. OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)

“Muzaffarabad”
Dated: 20th May, 1985

Subject: Encashment of Leave Preparatory To Retirement.

I am directed to refer to this Department's circular letter No. FD/278-338/84 dated 04.01.1984 and to say that some doubts have been expressed about the admissibility of pay and allowance, grant of medical leave etc. during the surrendered period of LPR for the purpose of encashment of LPR. These issues are clarified in the following paragraphs:-

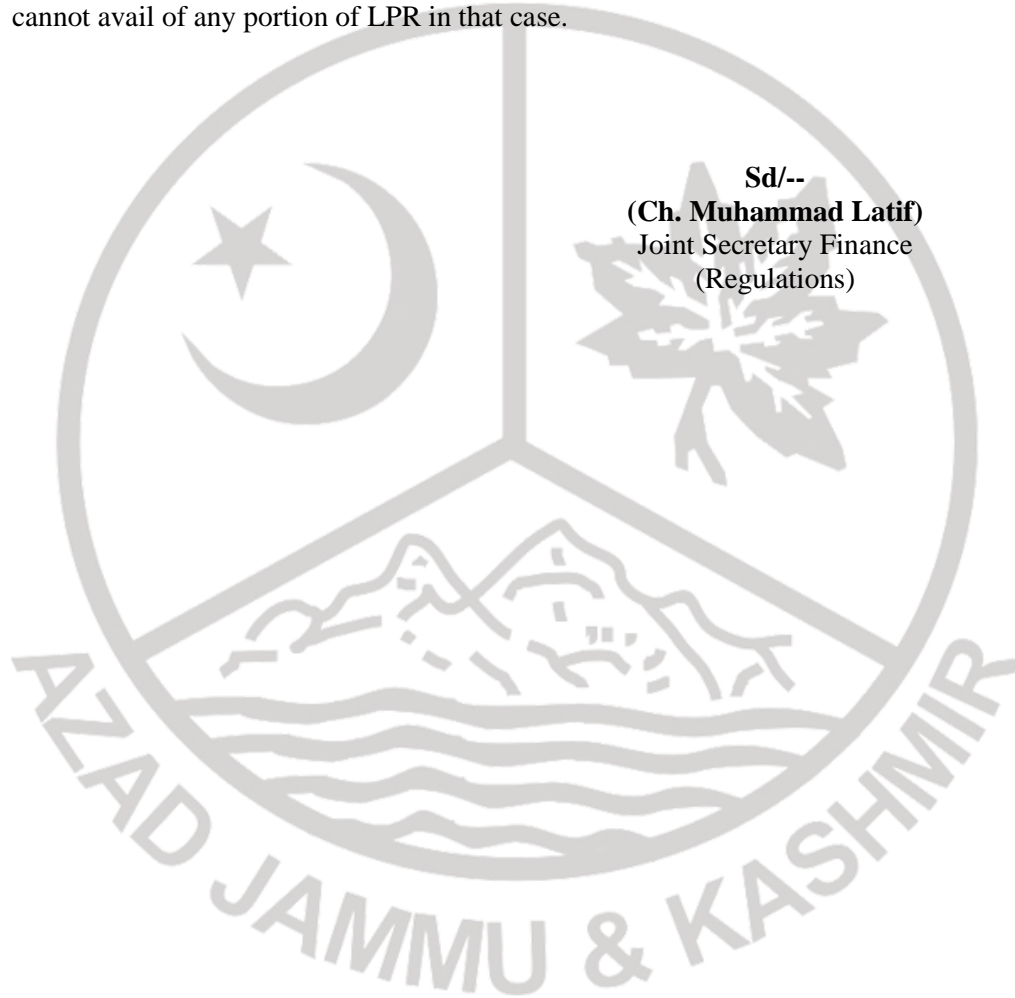
Pay: Pay for purpose of encashment of LPR includes Basic pay, special pay, technical pay, personal pay and any other emoluments which may be specifically classed as “pay” by the competent authority.

A civil servant who opts for encashment of LPR may either draw leave pay for the period for which LPR is admissible subject to a maximum of 180 days in lump sum after retirement or on month to month basis during such period. The amount of leave pay would, however, be determined on the basis of pay which would have been admissible on the date, on which LPR applied for would have commenced.

Allowances: Senior Posts Allowance will form part of the pay for the purpose of encashment of LPR. No other allowance forms part of pay for this purpose.

Medical Leave: As per para 10 (b) of the Finance Department's circular letter No. FD/278-338/84 dated 04.01.1984; a Government servant who desires to get the benefit of encashment of LPR would surrender the entire leave preparatory to retirement due to him. Therefore, no leave of any kind is admissible during the period of surrendered LPR if the benefit of encashment of LPR is to be availed of.

Duration of Surrendered Leave: A Government servant who opts for encashment of LPR and has 365 days or lesser period of LPR on full pay at his credit can have his LPR encashed for the actual period of LPR subject to a maximum of 180 days. He cannot avail of any portion of LPR in that case.



No. FD/R/I-(68)/82(P-III)
AZAD GOVT. OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)

“Muzaffarabad”
Dated: 29th April, 1986

Subject: Encashment of Leave Preparatory To Retirement.

I am directed to refer to letter No. FD/8748-8808 dated 29.08.1983 and subsequent modification of the instructions contained in this department letter Nos. FD/7070-7169/85 dated 20.05.1985 and FD/7170-7269/85 dated 20.05.1985 and to state that the competent authority may, where it is satisfied that the leave applied for by a civil servant (during period of leave surrendered for encashment) is unavoidable or is fully justified, e.g, in cases of illness, supported by medical certificate or for performance of Haj, etc., grant leave to an employee during this period. In such a case, however, the amount of cash compensation shall be reduced by an amount equal to the leave pay for half of the period of leave taken. For example, if an employee, who has opted for encashment of L.P.R, takes 60 days of such leave, his cash compensation equal to 30 days leave will be forfeited.

2. A civil servant who wishes to forego his LPR, in favour of cash compensation shall exercise his option to this effect in writing and submit it to the authority competent to sanction LPR, who will accept the option and issue formal sanction for the payment of cash compensation.
3. Unless a civil servant opts to proceed on leave preparatory to retirement and submits an application for LPR, he may be deemed to have opted for encashment of LPR, according to the rules, and on receipt of a request from a civil servant deemed to have opted for encashment of LPR, the authority competent to sanction LPR, will issue formal sanction for the payment of cash compensation.

4. All pending or previously decided cases where a civil servant has failed to exercise option for encashment for LPR, may be decided in the light these instructions.



Sd/--
(Ch. Muhammad Latif)
Joint Secretary Finance
(Regulations)

No. FD/R/I-3/85(P-II)
AZAD GOVT. OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)

“Muzaffarabad”
Dated: 15th May, 1989

Subject: Recovery of Leave Salary and Pension Contribution in Respect of Provincial Government Employees on Deputation to Foreign Service within Pakistan as Well as Abroad.

I am directed to state that in supersession of all the existing instructions relating to Leave, Leave Salary Contributions and Pension Contributions in respect of Azad Jammu and Kashmir Government Servants on deputation within Pakistan (& Azad Jammu and Kashmir) as well as abroad, it has been decided as follows:-

(1) LEAVE /LEAVE SALARY CONTRIBUTIONS.

The Leave Accounts of Government Servants proceeding on deputation within Azad Jammu and Kashmir and Pakistan or abroad shall remain closed for the period of such deputation. No Leave Salary contributions shall be recovered from the Foreign Employers, and the deputationists will be granted leave and paid leave salary by the Foreign Employers. The period of service with the Foreign Employers shall not count towards earning Leave under the Government.

(2) PENSION CONTRIBUTIONS.

(a) Rate of Pension Contributions.

There shall be a uniform rate of pension Contributions at 33% the mean of minimum and maximum of the Pay Scale of the Government Servant concerned at the time of his proceeding on deputation, plus other emoluments reckonable for pension, which would have been admissible to him had he not been deputed on Foreign Service.

(b) **Who to Pay in Cases of Deputation within Pakistan/Azad Jammu and Kashmir.**

- i) In case the Foreign Employer is an autonomous/ semi-autonomous body, it shall be required to pay to the Government Pension Contributions at the rate mentioned above.
- ii) In case the foreign employer is the Federal Govt. of Pakistan or any Provincial Govt. of the Federation of Pakistan, the Pensionary charges shall be apportioned between the two Governments under the existing rules.

(c) **Who to Pay in Case of Deputation Abroad.**

Government Servant concerned himself shall, during the period of his Foreign Service, pay to the Government through the Pakistan mission in the borrowing country, in Foreign currency in which he receives his Salary from the Foreign Employers, Pension Contribution at the rate mentioned above. In cases where a part of the Foreign Service Pay is drawable in Pakistan Rupees, a percentage of the monthly amount of pension contribution may be paid in Pakistan Rupees equal to the percentage of the Foreign Service pay which is draw able in Pakistan Rupees. Failure to pay pension contribution shall result in the period of Foreign Service not being counted towards pension.

2. Government may, as a special case, allow any individual, with the prior concurrence of the Finance Department, to pay pension contribution etc. in local currency.
3. The relevant rules shall be deemed to have been amended to the extent indicated above.

Sd/--
(Kh. Muhammad Sadiq Dar)
Deputy Secretary Finance
(Regulations)

No. FD/R/I-(68)/90
AZAD GOVT. OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)

“Muzaffarabad”
Dated: 18th September, 1990

Subject: - Encashment of Leave Preparatory to Retirement.

I am directed to refer to para 1 of this Department's circular letter No. FD/R/1-(68)/82(P-III) dated 29-4-1986 on the above noted subject and to say that President of the Azad Jammu & Kashmir has been pleased to approve that in cases where leave of any kind including extraordinary leave without pay is taken during the last year by a retiring Government servant, who opts for encashment of LPR except on grounds mentioned in the above reference, the period of such leave will be reduced from 180 days or lesser period for which the encashment is allowed.

Sd/--
(Kh. Mohammad Sadiq Dar)
Deputy Secretary Finance
(Regulations)

**No. FD/R/I(68)/P-IV/93
AZAD GOVT. OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)**

“Muzaffarabad”
Dated: 10th July, 1993

Subject: Encashment of Leave Preparatory to Retirement.

I am directed to say that according to rule 17 of Revised Leave Rules 1983 read with notification No. FD/R/15124-15224/88 dated 14-9-1988 and para 21 of Finance Department's circular letter No. FD/8748-8808/83 dated 29-08-83 civil servants retiring either on superannuation or after completion of 30 years qualifying service for pension are entitled to encashment of LPR. The encashment of LPR is however not admissible to Government servants seeking retiring pension on voluntary basis after completion of 25 years service.

2. The President of the Azad Jammu & Kashmir has now been pleased to decide that civil servants who proceed to retirement on voluntary basis after completion of 25 years qualifying service, without availing LPR, may also be deemed to have exercised the option of not proceeding on LPR, and may be allowed encashment in accordance with the condition applicable to civil servants who retire on superannuation or after completion of 30 years qualifying service for pension.

3. It is clarified that this benefit will be subject to the following conditions:-

- i) Encashment in lieu of LPR shall not be admissible in case where service qualifying for pension is less than 25 years.
- ii). Such civil servants shall continue to serve for 365 days after qualifying service of 25 years for the purpose of encashment of LPR.

Sd/--
(Kh. Mohammad Sadiq Dar)
Deputy Secretary Finance
(Regulations)

**No. FD/R/I-(127)/(Part-I)/96
AZAD GOVT. OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)**

“Muzaffarabad”

Dated: 27th November, 1996

Subject: Recovery of Leave Salary and Pension Contribution in Respect of Provincial Government Employees on Deputation to Foreign Service within Pakistan as Well as Abroad

I am directed to refer to the leave rules issued vide No. FD/R/68/82 dated 12.04.1983 and Finance Department letter No. FD/R/I-3/85 (P-II) dated 15.05.1989. Some cases have been referred to this department in which clarifications regarding encashment of leave earned but not availed during the period of deputation in various autonomous/semi autonomous bodies has been sought. The matter has been examined in the Finance Department at length and it is hereby clarified that there is no provision of leave encashment for earned leave but not availed during the deputation under Leave Rules, 1983 amended up to date or under the circular letter referred to above. The leave encashment can only be granted at the time of retirement in lieu of refused leave preparatory to retirement up to the maximum limit of 180 days.

In this connection, clarification, if any, made by Finance Department contradictory to the above shall be treated as with-drawn.

Sd/--

(Qazi Abdul Waheed)
Section Officer Finance
(Regulations)

**No. FD/R/1-(68)/89 PART-III/97
AZAD GOVT. OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)**

“Muzaffarabad”

Dated: 26th December, 1997

Subject: Counting of Extra Ordinary Leave Towards Increment

I am directed to refer to this department letter No. FD/R/68/82 dated 12-04-1983 (leave rules 1983) and to say, that President of Azad Jammu & Kashmir has been pleased to sanction the following addition after the para 9 sub rule 2 in the above mentioned Notification.

The Competent Authority, Finance Department, in consultation with the Administrative Department, may in case in which it is satisfied that extra ordinary leave was taken for on account of illness/ higher studies and that the course of study will be useful for the department, or any cause beyond the Government servant's control, direct that Extra Ordinary leave shall be counted for increment and also decided that where female Government Servants accompanies or joins her husband on official duty abroad by availing on extra ordinary leave shall be counted towards annual increments.

Sd/--

Deputy Secretary Finance
(Regulations)