

TEZPUR UNIVERSITY

ORDINANCE NO 26

ON GOVERNING LEAVE TO TEACHERS OF THE UNIVERSITY

Under Section 28(1) (n) of the TU Act, 1993

(Approved by the Board of Management vide Resolution No. B. 52/ 2008/1/3.12 dated 13/05/08)

All Permanent Teachers of the University will be governed by the following leave rules:

1. (1) Kind of Leave: The following kinds of leave will be admissible to permanent teachers of the university :

(i) Leave treated as duty:

- (a) Casual Leave, and
- (b) Special Casual Leave
- (c) Duty Leave

(ii) Leave earned by duty

- (a) Earned Leave
- (b) Half-pay Leave, and
- (c) Commuted Leave

(iii) Leave not earned by duty

- (a) Extra-ordinary Leave, and
- (b) Leave not due

(iv) Leave not debited to leave account

- (a) Leave for academic pursuits-**
 - (i) Study Leave, and
 - (ii) Sabbatical Leave
- (b) Leave on grounds of health-**
 - (i) Maternity Leave
 - (ii) Paternity Leave
 - (iii) Quarantine Leave

1.(2) The Board of Management (BoM) may, in exceptional cases grant for the reasons to be recorded, any other kind of leave subject to such terms and conditions as it may deem fit to impose.

2. Casual Leave

- i. Total leave granted to a teacher shall not exceed eight days in a calendar year.
- ii. If a teacher joins the university after the expiry of first month of calendar year, the number of casual leave admissible to him/ her shall be proportionate to number of months/ days left in the calendar year.

- iii. Casual leave can be combined with mid-semester/ winter/ Summer Semester Break/ vacation and special casual leave but cannot be combined with other leave(s). It may be combined with holidays including Sundays. Holidays or Sundays falling within the period of casual leave shall not be counted as casual leave.
- iv. Casual leave shall not exceed five consecutive days of leave.

1. Special Casual

- (1) (i) Special casual leave, ordinarily not exceeding 15(Fifteen) days in a calendar year, may be granted to a teacher-
 - a. to conduct examination of a University, Public Service commission/Board of Examinations or other similar bodies/institutions ;
 - b. to inspect academic institutions on behalf of a statutory board, etc./ University,
 - c. to participate (on invitation) in academic conferences, symposia or seminars or cultural or athletic activities conducted by bodies recognized by the University Authorities;
 - d. to participate in meetings and deliberations of academic/ administrative bodies of universities/ institutions recognized by the University/ State Govt./ Govt. of India;
 - e. to carryout such other work that may not be covered by the above but approved by the Vice-Chancellor as academic work.

Note: In computing the 15(Fifteen) days' admissible special casual leave, the days of actual to- and -fro journey, if any, will be excluded.

- f. Controlling authority may grant special casual leave to a teacher if he/she cannot attend offices due to natural calamities/ bandh(s) and such other reasons as mentioned in CCS Leave Rules(FRs 58-104).
- (ii) In addition, extra special casual leave to the extent mentioned below may also be granted :
 - a. to undergo sterilization operation (Vasectomy or Salpingectomy) under family planning programme. Leave in this case will be restricted to six working days :

- b. to a female teacher who undergoes nonpuerperal sterilization. Leave in this case will be restricted to fourteen days.
- c. For other programme(s) related to family planning, special casual leave will be admissible as per CCS(Leave) Rules.

(iii) Special casual leave cannot be accumulated nor can it be combined with any other kind of leave except casual leave. It may be granted in combination with holidays or vacation.

3. (2) Absence from duty and Headquarters during a semester:

- (i) The entitlement to special casual leave in each semester shall be limited to the extent of 50% of annual entitlement;
- (ii) to participate in meeting as deliberation of academic / administrative bodies of Universities/ Institution recognized by the University / Govt. of States/ Govt. of India.

2. Duty Leave

- (i) Duty leave may be granted for
 - a) Attending Conferences, congresses, symposia and seminars on behalf of the University.
 - b) delivering lectures in institutions and University at the invitation of such institutions or Universities received by the University, and accepted by the Vice-Chancellor.
 - c) Working in another Indian or foreign university, any other agency, institution or organisation, when so deputed by the university.
 - d) Participating in a delegation or working on a committee appointed by the Government of India, State Government, the University Grants Commission, a sister university.
 - e) To defend/ attend project proposals/ meeting of project related filed work/ various funding agencies, viz. UGC, DST, AICTE, ICSSR, etc.
 - f) To attend meetings in the UGC, DST, etc., where a teacher is invited to share expertise with academic bodies, Government or NGO; and
 - g) to participate in Refresher/ Orientation and similar short term courses.
 - h) For performing any other duty/ duties for the University.

- (ii) The duration of leave should be such as may be considered necessary by the sanctioning authority on each occasion.
- (iii) total number of duty leaves shall not exceed 15 days in a Semester. This shall not include no. of days for participation in Refresher / Orientation course.
- (iv) The application for duty leave shall be forwarded along with recommendation by the Head of the Department/ Centre (by the Dean of the School, if the teacher is a HoD) to the Vice-Chancellor after taking into account, the academic needs of the Department/ Centre. While recommending the application, the Head of the Department/ Centre will specify that alternative arrangements for the academic duties of the faculty member concerned will be made, without asking for a substitute/extra academic position.
- (v) Duty leave may be combined with casual leave, earned leave, half pay leave or extra-ordinary leave.

5. Earned Leave

- (i) Earned leave admissible to a teacher shall be-
 - a. 1/30th of actual service including vacation;
 - b. Plus 1/3rd of the actual days of duty, if any, during vacation.

Note: For purposes of computation of period of actual services, all periods of leave except casual, special casual leave and duty leave shall be excluded.

- (ii) Earned leave at the credit of a teacher shall not accumulate beyond 300 days with effect from 01.01.1996. The maximum earned leave that may be sanctioned at a time shall not exceed 120 (one hundred twenty) days. Earned leave exceeding 120 days may, however, be sanctioned in the case of higher study or training or leave on medical ground or when the entire leave or a portion thereof is spent outside India.

Note: 1. Earned leave may be combined with vacation at **one end** in which case the total period of absence shall not exceed 120 days. The vacation period shall not be debited from the Earned leave account.

Note: 2. In case where only a portion of the leave is spent outside India, the grant of leave in excess of 120 days shall be subject to the condition that the portion of leave spent in India shall not, in the aggregate, exceed 120 days.

Note: 3. Encashment of Earned Leave shall be allowed to teaching staff as applicable to the employees of Central/ State Governments.

6. Half-Pay Leave

- (i) Half-pay leave admissible to a permanent teacher shall be 20 days for each completed year of service. Such leave may be granted on medical ground, or for academic purposes or on private affairs.

Note: A “completed year of service” means continuous service of specified duration under the University and includes periods of absence from duty as well as leave including extra-ordinary leave.

7. Commuted Leave

Commutated leave not exceeding half the amount of half-pay leave due be granted on medical certificate to a permanent teacher subject to the following conditions:

- (i) Commuted leave during the entire service shall be limited to a maximum of 240 days.
- (ii) When commuted leave is granted, twice the amount of such leave shall be debited against the half-pay leave due; and
- (iii) The total duration of earned leave and commuted leave taken in conjunction shall not exceed 240 days at a time. Provided that no commuted leave shall be granted under this Ordinance unless the competent authority has reason to believe that the teacher will return to duty on expiry of the leave.

8. Extra-Ordinary Leave

- (i) A permanent teacher may be granted extra- ordinary leave :-
 - (a) when no other leave is admissible; or
 - (b) when other leave is admissible, but the teacher applies in writing for the grant of extra-ordinary leave.

Provided, however, that save under the provision of sub-clauses (ii) to (iv) below, no extra-ordinary leave shall be granted to a teacher for holding an appointment or a fellowship outside the University.

- (ii) The Board of Management may grant, on the request from the institution concerned and on application of the teacher, extra-ordinary leave (with lien) to join a position or to avail a fellowship under a Government, a University, Research Institute or other similar important institutions, if in the opinion of the Board of Management such leave does not prejudice the interest of the University. This leave can be allowed only to a teacher who has been

confirmed in the post held by him and has served the University for a period of at least 3(three) years.

Provided further that such leave shall not be granted until after the expiry of five years after return from a previous spell of extra-ordinary leave or three years after study or sabbatical leave.

The application for such leave shall be forwarded by the Head of Department/ Centre concerned (by the Dean of School, if the teacher is the Head) with the recommendation or otherwise taking into account the strength of the teaching staff for the particular subject/ course(s). Except in very special cases, at no time more than **20%** of the total strength of the teachers on rolls of a department/ centre shall be allowed to be absent from the department/ centre on extra-ordinary leave, study leave and/ or sabbatical leave.

In case of failure of a teacher to return to duty at the end of the period of leave sanctioned to him/ her, the services of the teacher shall be liable to be terminated from the date of commencement of the period of leave granted to him. He/she shall also refund to the University, pay and allowances, if any, received by him during the leave (including other kinds of leave taken in continuation) sanctioned to him for the purpose.

- (iii) (a) The Board of Management may also grant, at its discretion, extra-ordinary leave to a permanent teacher who has been selected for a teaching or research assignment in a University, a Research Institute or other similar important institution provided he has served the University for a period of at least three years and the application had been sent through and forwarded by the university;
- (b) The leave in such cases shall not exceed a maximum period of two years;
- (iv) Notwithstanding any other leave, Board of Management may grant Extra-ordinary Leave (with lien) to a permanent teacher of the university who has completed at least 3(three) years of continuous services in the university on the following occasion(s):
 - a. to join foreign services for a **term post** for a maximum period of 5(five) years where he/she is not to be absorbed permanently;
 - b. to be a Member of the State Legislative Assembly or of the Houses of Parliament, if elected or nominated so, for a term of 5(five) years or till he/she holds the office, which ever is earlier;
 - c. to join a term post in the **Tezpur University itself** for a maximum of two terms on resumption of duty for at least one day in the original post provided the teacher has not availed any extra-ordinary leave holding lien on earlier occasion(s) during his service life. However, if the teacher has

availed E.O.L. with lien on earlier occasion(s), excluding the first term, such period will be deducted to compute eligible duration of E.O.L. (with lien).

- (V) (a) During the entire period for which the teacher holds a post outside the University, he/ she shall not be entitled to pay and allowances from Tezpur University. This is notwithstanding the teacher being entitled for any other leave during the period.
- (b) The period spent on E.O.L. shall be counted for increment and for seniority. The period on foreign services however shall not be counted for pensionary/ contributory provident fund benefits unless the pension/contributory provident fund contributions are paid by the teacher or the foreign employer. Provided that no such leave shall be granted until after the expiry of five years after return from a previous spell of extra-ordinary leave or three years after study or sabbatical leave. If the teacher does not resume his duties in the University at the end of the period of extra-ordinary leave granted to him, he/ she shall be treated as having resigned from the post held by him/ her in the University.
- (vi) Subject to the provisions of sub-clause (viii) below, the total amount of extra-ordinary leave granted to a teacher under sub-clause (ii) and (iii) above shall not exceed five years during his entire service except for the cases at (iv)a, b and c above
- (vii) Extra-ordinary leave shall not count for increment except in the following cases ;
 - a) Leave taken on medical certificate.
 - b) Cases where the Vice-Chancellor is satisfied that the leave was taken due to causes beyond the control of the teacher, such as inability to join or rejoin duty due to civil commotion or a natural calamity, provided the teacher has no other kind of leave to his credit.
 - c) Leave taken for pursuit of studies.
 - d) Leave granted to accept an invitation to a teaching position or fellowship or research-cum-teaching position or on assignment of technical or academic work of importance.
- (viii) Extra-ordinary leave may be combined with any other leave except casual leave and special casual leave provided that the total period of continuous absence from duty or leave (including periods of vacation) does not exceed three years except in cases where leave is taken on medical ground. The total period of continuous absence from duty shall in no case exceed five

years in the full working life of an individual save for the cases at (iv) a, b and c above.

- (ix) The authority empowered to grant leave may commute period of absence without leave into extra-ordinary leave retrospectively.

9. Leave-not-due

- (i) Leave not due may, at the discretion of the Vice-Chancellor, be granted to a permanent teacher for a period not exceeding 360 days during the entire service out of which not more than 90 days at a time and 180 days in all may be otherwise on medical certificate. Such leave shall be debited against the half-pay leave earned by him subsequently.

Provided that the teachers who are appointed on probation against substantively permanent posts be treated as 'Probationers' for the purpose of granting leave not due.

- (ii) Leave not due shall not be granted unless the Vice-Chancellor is satisfied that as far as can reasonably be foreseen, the teacher will return to duty on the expiry of the leave and earn the leave granted.
- (iii) A teacher to whom leave-not-due is granted shall not be permitted to tender resignation from service so long as the debit balance in his leave account is not wiped off by active service, or he refunds the amount paid to him as pay or allowances for the period not so earned. In a case where retirement is unavoidable on account of reason of ill-health incapacitating the teacher for further service, refund of leave salary for the period of leave to be earned may be waived by the Board of Management.

Provided that the Board of Management may, in any other exceptional case, waive, for reasons to be recorded, the refund of leave salary for the period of leave still to be earned.

10. Study Leave

- (i) Study leave may be granted to a permanent full time teacher with not less than three years of continuous service to pursue special line of study or research directly related to his/ her work in the university or with or without salary. The paid period of study leave shall be for three years of which two years may be given in the first instance; extendable by one more year, if there is adequate progress as reported by the research guide. Care would be taken that the number of teachers given study leave, does not exceed the stipulated percentage of teachers in any department as mentioned in section 8(ii) of this Ordinance.

Provided further that the Board of Management may, in special circumstances, waive the condition of three years service being continuous.

Explanation: In ascertaining the length of service, the period during which a person was on probation is taken into account.

- (ii) Study leave shall be granted by the Board of Management on the recommendation of the DAC of the concerned Department/Centre and forwarded by the Head of the Department/ Centre. The leave shall not be granted for more than two years save for Ph.D. studies which may be granted for three years and in exceptional cases extended for another six months if the Board of Management is satisfied that such extension is unavoidable on academic grounds and is necessary in the interest of the University.
- (iii) Study leave shall not be granted to a teacher who has not served the University continuously for a period of three years after the expiry of the last spell of the extra-ordinary leave under clause 8(ii) or 8(iii), sabbatical leave or who is due to retire within two years of the date of which he is expected to return to duty after the expiry of study leave.
- (iv) Study leave may be granted not more than twice during one's career save clause (V) below. However the maximum of study leave admissible during the entire service should not exceed five years. Provided that a teacher shall be eligible for a second tenure of study leave only on completion of 5 years of continuous service.

Provided further that in such cases of study leave where the substitute pay is borne partly or fully by any outside agency, one may avail the next spell of study leave after a period of three years only.

- (V) Subject to the recommendation of the Departmental Advisory Committee the study leave for a particular programme may be granted in multiple spells with intervening periods to enable the teacher to resume his teaching responsibilities in the University. However in such case the total duration of study leave shall not exceed 3 years for the programme.
- (vi) A teacher who has been granted study leave shall not be permitted to substantially alter the course of study or the programme of research without the recommendation of the DAC and approval of the Board of Management. When the course of study is completed before the expiry of the sanctioned leave period, the teacher shall resume duty on the conclusion of the course.

- (vii) Subject to the maximum period of absence from duty on leave not exceeding three years, study leave may be combined with earned leave, half pay leave, extra-ordinary leave or vacation, provided that the earned leave at the credit of the teacher shall be availed of at the discretion of the teacher. Further, a suitable leave (e.g. special casual leave) can be granted to cover the Journey period, if required so.

Note: A teacher who is selected for a higher post during study leave, will be placed in that position and get the higher scale of pay only after joining the post.

- (viii) (a) Subject to the provision of sub-clauses (viii) and (ix) below study leave may be granted on full pay up to two years extendable by another year at the discretion of the Board of Management(or, and on half pay for the third year) and no pay shall be admissible thereafter.

Provided that when a teacher is awarded a Fellowship/Scholarship by the Government of India or other bona-fide agency for which the University nomination was forwarded, the pay of the teacher shall be governed by the condition stipulated for the award.

Note:- The term “pay” refers to average pay and shall be calculated as mentioned in clause 15.16 (Leave Salary) of this Ordinance.

(b) That while house rent allowance shall be allowed, remote area allowance, compensatory allowance, etc. shall not be allowed during the period of study leave.

- (ix) (a) The amount of scholarship, fellowship, honorarium, maintenance allowance or other financial assistance in any form other than regular employment received by a teacher granted study leave shall not preclude his/ her being granted study leave with pay and allowances but the scholarships, etc., so received shall be taken into account in determining the pay and allowances on which the study leave may be granted.

(b) The foreign scholarship/ fellowship would be offset against pay only if the scholarship/ fellowship is above an amount determined from time to time by the Govt. of India for the purpose. In the case of an Indian fellowship, which exceeds the salary of the teacher, the salary would be forfeited.

Note: It shall be the duty of the teacher availing study leave to communicate immediately to the University the additional financial assistance in any form received by him during the course of study leave from any person or Institution whatsoever;

- (x) A teacher granted leave shall on his return and rejoining the service of the University be eligible to the benefits of the annual increment(s) which he would have earned in the course of time if he had not proceeded on study

leave. No teacher shall however, be eligible to receive arrears of increments.

- (xi) Study leave shall count as service for pensionary benefits provided the teacher rejoins the University on the expiry of his study leave and the leave for journey period as per clause (vi) above.
- (xii) Study leave granted to the teacher shall be deemed to be cancelled if it is not availed within 12 months of its sanction.

Provided that where the study leave granted has been so cancelled the teacher may apply again for such leave.

- (xiii) A teacher availing the study leave shall undertake that he / she shall serve the University for a continuous period, equal to the period of study leave actually availed, from the date of his resuming duty on expiry of the study leave.
- (xiv) A teacher :-
 - a) who is unable to complete his studies within the period of study leave granted to him, or
 - b) who fails to rejoin the service of the University on the expiry of his duty leave and leave for journey period, or
 - c) who rejoins the University but leave the service without fulfilling the conditions laid down in (xiii) after the date of rejoining the service, or
 - d) who within the said period is dismissed or removed from service by the University

shall be liable to refund to the University the amount of leave salary, allowance and other expenses incurred on the teacher or paid to him on his behalf in connection with the course of study, or such amount as may be decided by the Board of Management, together with interest thereon at the rate of 6% per annum or any other rate fixed by the Board of Management from time to time.

- e) Notwithstanding the above, the Board of Management may order that nothing in this Ordinance shall apply to a teacher who within three years on return to duty from study leave is permitted to retire from service on medical grounds.

Provided further that the Board of Management may, in any exceptional case, waive or reduce, for reasons to be recorded, the amount refundable

by a teacher or the period as per (xiii) under this Ordinance. The Board of Management may also extend the period of leave in exceptional exigencies for a suitable period.

- (xv) After the leave has been sanctioned, the teacher shall, before availing of the leave, execute a bond in favour of the University binding himself for the fulfillment of the conditions laid down in sub-clause **(xiii) and (xiv) above**.
- (xvi) The teacher shall submit to the Registrar and the HoD, a six monthly report on progress of his studies forwarded by his supervisor or the Head of Institution. This report shall reach the Registrar within one month of the expiry of every 6 months of the study leave. If the report does not reach the Registrar within the time specified the payment of leave salary may be deferred until the receipt of such reports.

Note:- On return from study leave, the teacher shall report to the Registrar, through the Head of the Department/ Centre on the nature of his work and his achievement. He shall also present a resume of his work in **a School level** seminar, specially organised for the purpose by the Head of Department concerned.

- (xvii) The application for study leave should be sent through the Head of the Department/Centre to the Vice-Chancellor and the Head of the department/centre shall forward the application with the recommendation of the DAC. Except in very special cases, at no time more than 20% of the strength of the teachers on rolls shall be allowed to proceed on study leave, extra-ordinary leave and/or sabbatical leave.

11. Sabbatical Leave

- (i) Permanent, whole time teachers of the University who have completed seven years of service as Lecturer Selection Grade/ Reader or Professor, may be granted sabbatical leave twice in his / her entire career to undertake study or research or other academic pursuits of the highest order solely for the object of contributing to the University and the realm of knowledge. This leave shall not be granted to a teacher who has less than three years of service in the University to retire.
- (ii) The duration of leave shall not exceed one year at a time and two years in the entire period of his/ her service. The interval between two sabbatical leaves shall not be less than five years. Provided further that sabbatical leave shall not be granted until the expiry of five years from the date of the teacher's return from previous study leave or extra- ordinary leave under clause 8(ii) and (iii).

- (iii) The teacher shall execute a bond, with proper sureties as in the case of study leave, that after the expiry of sabbatical leave he will return to the service of the University and serve thereafter at least for three years, failing which he will refund to the University the leave salary and allowances and other expenses, if any, spent on him, or on his behalf plus such amount as may be decided by the Board of Management from time to time if the teacher is allowed to go abroad for sabbatical leave together with interest at the rate of **6%** per annum to be calculated from the date of such payment.

Provided that the Board of Management may, in any exceptional case, waive or reduce, for reasons to be recorded, the amount refundable by a teacher under this Ordinance.

- (iv) A teacher shall, during the period of sabbatical leave be paid full pay and allowances (subject to the prescribed conditions being fulfilled) at the rates applicable to him immediately prior to his proceeding on sabbatical leave. The University shall not, however, fill up the post or make other alternative arrangements involving additional expenditure.
- (v) A teacher on sabbatical leave shall not take up, during the period of that leave, any regular appointment under another organisation in India or abroad. He/she may, however, be allowed to accept a fellowship or a research scholarship or ad-hoc teaching and research assignment with honorarium or any other form of assistance, other than a regular employment in an institution of advanced studies, provided that in such cases the Board of Management may, if it so desires, sanction sabbatical leave on reduced pay and allowances as deemed fit.
- (vi) During the period of sabbatical leave, the teacher shall be allowed to draw the increment on the due date. The period of leave shall also count as service for purposes of pension/contributory provident fund provided the teacher rejoins the University on the expiry of his leave.

Note: 1. The programme to be followed during sabbatical leave shall be submitted to the University through Head of department/ centre on recommendation of DAC and for approval along with the application for grant of leave.

2. On return from leave, the teacher shall report to the University the nature of studies, research or other work undertaken during the period of leave. He shall also present a resume of his work in a seminar specially organized for the purpose by the Head of the Department/ centre.

12. Maternity Leave

(i) A woman teacher with less than two surviving children may be granted Maternity leave for a period of 135 days from the date of confinement or the date of delivery whichever is earlier. Maternity leave may also be granted in case of miscarriage including abortion subject to the condition that the leave applied for does not exceed six weeks in all or does not extend beyond six weeks from the date of miscarriage and the application for leave is supported by a Medical Certificate.

(ii)(a) Maternity leave may be combined with leave of any other kind.

(b) Notwithstanding the provisions contained in clause 7, any leave (including commuted leave) for a period not exceeding 60 days, applied for in continuation of maternity leave, may be granted without production of Medical Certificate.

(c) Leave in further continuation of leave granted under sub-clause (ii) (b) above may be granted on production of a Medical Certificate for the illness of a female teacher. Such leave may also be granted in case of illness of a newly born baby, subject to production of Medical Certificate to the effect that the condition the ailing baby warrant mother's personal attention and that her presence by the baby's side is absolutely necessary.

13. Paternity Leave

Paternity leave of 15 days may be granted to a male teacher with less than 2 surviving children during the confinement of his wife.

Adoption leave may be granted as per the rules of the Central Government.

14. Quarantine Leave

(i) Quarantine leave is leave of absence from duty necessitated in consequence of the occurrence of an infectious diseases affecting the person or any other member of his family .

(ii) Quarantine leave may be granted or recommended on medical grounds for a period not exceeding 21 days. In exceptional cases, this limit may be raised by the Board of Management/ Granting authority to 30 days. Any further extension of leave for quarantine purposes must be applied for and shall be debited from other leave to which the teacher is entitled.

(iii) A teacher on quarantine leave is not treated as absent from duty and his pay will not be affected if the excess period of absence on quarantine purposes is regularized by other regular leave admissible.

(iv) Quarantine leave may be combined with earned leave, half-pay leave or extra-ordinary leave, duty leave but not with casual/ special casual leave.

15. GENERAL

15.1 Definition of Leave earned:

(1) Leave is earned by duty only. The period spent on foreign service is treated as being on duty if leave salary is paid for such period.

15.2 Right of Leave

(a) *Leave cannot be claimed as a matter of right.* Leave of any kind may be refused or revoked by the competent authority empowered to grant it without assigning any reason thereof, if the authority considers such action to be in the interest of the University.

(b) No leave shall be granted to a teacher when the competent authority has decided to dismiss, remove or compulsorily retire him/ her from service. No leave shall be granted to a teacher when he / she is under suspension.

15.3 Maximum Period of Absence from duty

(a) Save under rules at clause 8 & 10 (ii), no teacher shall be granted leave of any kind for a continuous period exceeding three years.

(b) Where a teacher does not resume duty after remaining on leave for a continuous period of three years or where a teacher after the expiry of his leave remains absent from duty, otherwise than on foreign service or on account of suspension, for any period which together with the period of leave granted to him exceeds three years, he shall, unless the Board of Management, in view of the exceptional circumstances of the case otherwise determines, be deemed to have vacated his position from the date of his unauthorized absence.

15.4 Application for Leave

Leave should always be applied for in advance and the sanction of the competent authority obtained before it is availed of except in cases of emergency and for convincing reasons.

15.5 Commencement and Termination of Leave

(a) Leave ordinarily begins from the date on which leave as such is actually availed of and ends on the day the teacher resumes his duty.

(b) Sundays and other recognised holidays may be prefixed and/or suffixed to leave. Vacation may be combined with leave subject to the clauses 5 and 8 of this Ordinance.

15.6 Rejoining of duty before the expiry of leave

A teacher on leave may return to duty before the expiry of the period of leave granted to him/ her with prior intimation to the authority.

15.7 Leave on medical grounds

(a) A teacher who applies for leave on medical grounds shall support his application with a medical certificate from the Medical Officer of the University or from a Registered Medical Practitioner. The competent authority may, however, direct the applicant to appear before a Medical Board.

(b) Leave or extension of leave on medical certificate shall not be granted beyond the date a teacher is Pronounced by a Medical Board constituted for the purpose to be permanently incapacitated for further service.

(c) A person away from the Head quarter may apply for such leave supported by Certificate from a registered medical practitioner. However, the authority may refer the case to a Medical Board constituted for such purpose.

15.8 Rejoining duty on return from leave on medical ground

No teacher who has been granted leave (other than casual leave) on medical certificate shall be allowed to return to duty without producing a medical certificate of fitness. The journey period, if any, shall be considered within the medical leave period.

15.9 Employment during leave

(a) A teacher on leave shall not, without the written permission of the University taken in advance, engage directly or indirectly in any trade or business whatsoever or in any private tuition or other work to which any emolument or honorarium is attached. However, this prohibition shall not apply to work undertaken in connection with the examination of a University, Public Service Commission, Board of Education or similar Bodies/Institutions or to any literary work or publication or radio or extension lectures or with the permission of the Vice-Chancellor, to any other academic work.

(b) The leave salary of a teacher who is permitted to take up any employment during leave shall be subject to such conditions as the Board of Management may prescribe.

15.10 Absence without leave or over stay

Subject to provisions of clause 15.2 above, a teacher who absents himself without Leave or remains absent without leave after the expiry of the leave granted to him, shall be entitled to no leave allowance or salary for the period of such absence. Such period shall be debited against his leave account as leave without pay unless his leave is extended by the authority empowered to grant the leave. Willful absence from duty may be treated as misconduct.

15.11 Leave beyond the date of retirement

No leave shall be granted beyond the date on which a teacher must compulsorily retire –

(a) Provided that if, in sufficient time before the date of retirement on superannuation, a teacher has been, in the interest of the University, denied in whole or in part any leave which was due to him and applied for as preparatory to retirement, then he may be granted after the date of retirement the amount of earned leave due to him on the date of superannuation subject to a maximum of 120 days. This limit may be extended up to 180 days if the entire leave or any portion thereof is spent outside India. Provided that when earned leave exceeding 120 days is granted under this Ordinance, the period of such leave spent in India shall not in the aggregate exceed 120 days. The leave so granted including the leave granted to him between the date from which the leave preparatory to retirement was to commence and the date of retirement, shall not exceed the amount of leave preparatory to retirement, actually denied; the half-pay leave, if any, applied for as preparatory to retirement and denied in the exigencies of the University service may be exchanged with earned leave to the extent such leave was earned between the date from which the leave preparatory to retirement was to commence and the date of retirement.

(b) Provided further that a teacher ;

(i) who after having been under suspension is reinstated within 120 or 180 days, as the case may be, preceding the date of his retirement on superannuation and was prevented by reason of having been under suspension from applying for leave preparatory to retirement, shall be allowed to avail of such leave as he was prevented from applying, 'Subject to a maximum of 120 or 180 days as the case may be, reduced by the period between the date of reinstatement and the date of retirement.

(ii) who attained age of superannuation while under suspension and was thus prevented from applying for leave preparatory to retirement shall be allowed to avail of the leave to his credit, subject to a maximum of 120 or 180 days, as the case may be, after termination of proceedings as if it had been refused aforesaid, if in the opinion of the authority competent to order reinstatement, he has been fully exonerated and the suspension was wholly unjustified.

(c) Provided further that a teacher whose service has been extended in the interest of the University beyond the date of his superannuation may be granted leave as under:

(i) **During the period of extension:** Any leave due in respect of the period of such extension and to the extent necessary, and earned leave which would have been granted to him under sub- clause (a) above, had he retired on the date of superannuation;

Explanations: In determining the quantum of earned leave that could accumulate during the period of extension, the leave, if any, admissible under sub-clause (a) above, shall also be taken into account.

(ii) **After the expiry of the period of extension :**

(a) After earned leave which could have been granted to him under sub-clause 9(a) above, had he retired on the date of superannuation diminished by the amount of such leave as was availed of during the period of extension; and

(b) earned leave earned during the period of extension and applied for as leave preparatory to retirement in sufficient time before the date to final cessation of his duties and refused in the interest of the University.

Note: A teacher who avails himself of the refused leave in full or in part immediately after the date of his superannuation or on the expiry of extension of service will be deemed for purposes other than pensionary/ contributory provident fund benefits and lien, to be in service till the expiry of the refused leave. he will retire and become eligible for all pensionary benefits as due to him on the date of superannuation (or on such other late date if any extension of service is granted) from the date of expiry of such leave only.

15.12 Conversion of one kind of leave to another

(a) At a request of the teacher concerned, the University may convert retrospectively any kind of leave, including extra-ordinary leave, into a leave of different kind which was a admissible to him at the time the leave was originally taken; but he cannot claim such conversion as a matter of right.

(b) If one kind of leave is converted into another, the amount of, leave salary and the allowances admissible shall be recalculated and arrears of leave salary and allowances paid or the amount overdrawn recovered, as the case may be.

15.13 Increment during leave

If increment of pay falls during any leave, other than Earned leave, casual leave, special casual leave, duty leave or sabbatical leave, the effect of increase of pay will be given from the date the teacher resumes duty without prejudice to the normal date of his increment, except in those cases where the leave does not count for increment.

15.14 Leave Year

For the purpose of this Ordinance, unless otherwise specified, the term 'year' shall mean a Calendar year.

15.15 Authorities empowered to sanction Leave

The authorities specified in column (2) of the table below are empowered to sanction leave to the extent shown in column (3) thereof. Cases for sanction of leave in excess of these limits or of leave not mentioned below shall be submitted to the Board of Management. Before sanctioning the leave, the sanctioning authority shall ensure that the leave asked for is admissible and is at the credit of the teacher concerned.

<u>Kinds of leave</u>	<u>Sanctioning authority</u>	<u>Extent of power</u>
(i) Casual Leave and		
(ii) Special Casual Leave		
(a) Dean of Schools	Vice Chancellor	Full
(b) Head of Centres/Departments	Dean of the School concerned	Full
(c) Other teachers	Head of Centre/Department	Full
(iii) Duty Leave,	Vice-Chancellor	Full
(iv) Earned Leave Half-pay Leave, Commuted Leave and Maternity Leave	Vice Chancellor	Full
(v) (a) Extra-ordinary Leave for study/ research	Vice-Chancellor BoM	Up to 90 days Beyond 90 days
(b) Extra-ordinary leave to join foreign services	BoM	Full
(v) Leave-not-due	Vice-Chancellor	Full

15.16 Leave Salary

A teacher granted casual leave or special casual leave is not treated as absence from duty and his pay is not held-up. During duty leave and sabbatical leave, a teacher will draw pay under the provisions of clauses 4 and 11 of this Ordinance, respectively. During other kinds of leave, a teacher shall be paid leave salary as under ;

A. Earned leave and Commuted leave :

Leave salary equal to the average monthly pay earned during the ten complete months immediately preceding the month in which the leave commences or the substantive pay to which the teacher is entitled immediately before the commencement of leave whichever is greater. Provided that the leave salary of a teacher who has been continuously officiating in another post for more than three years at the time he proceeds on leave shall be calculated as if he were the substantive holder of the post in which he would have so officiated but for his officiating appointment in an equivalent or higher post.

Note: The three years limit shall include :

- (a) all period of leave during which a teacher would have officiated in the post but for his proceeding on such leave; and
- (b) all periods of officiating service rendered in an equivalent or higher post but for appointment to which he would have officiated in that post.

B. Half-pay leave and leave-not-due :

Leave salary equal to half of the amount specified against (A) above.

C. Extra-ordinary leave :

Not entitled to any leave salary.

D. Study leave :

As admissible under clause 10 of this Ordinance.

E. Maternity Leave, paternity Leave and Quarantine Leave :

Pay drawn at the time of proceeding on leave. Subject to the provisions of Clauses 10 of this Ordinance, payment of dearness, house rent and city compensatory allowance (if any) during leave shall be governed by the provisions of the rules regarding the payment of those allowances.
