



JAMIA HAMDARD
(Deemed University)

LEAVE RULES
FOR
PERMANENT
TEACHING, NON-TEACHING AND
SUBORDINATE STAFF OF THE UNIVERSITY

(Approved/Amended by the Executive Council at its meetings held on
28-03-1995, 25-03-1997, 2 3-03-1999, 23-05-2000 and 4.11.2006 respectively.)

HAMDARD NAGAR, NEW DELHI – 110 062

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1. **GENERAL PRINCIPALS**

- 1.1 Leave cannot be claimed as a matter of right.
- 1.2 The leave sanctioning authority may refuse or revoke leave of any kind.
- 1.3 Leave of one kind taken earlier may be converted into leave of a different kind at a later date **within 30 days** of joining at the request of the official and at the discretion of the authority who granted the leave if the leave was due to his credit at the time of taking leave. For example, Extraordinary leave may be retrospectively converted into leave not due and Earned Leave into Half-Pay leave or Earned Leave on medical certificate into Commuted leave, as the case may be. However, this cannot be claimed as a matter of right by the official.
- 1.4 Conversion of one kind of leave into leave of a different kind is permissible only when applied for by the official within one month of the expiry of sanctioned leave while in service and not after quitting service.
- 1.5 Leave sanctioning authority may commute retrospectively periods of absence without leave into Extraordinary leave.
- 1.6 An official on leave should not take up any service of employment elsewhere without obtaining prior sanction of the competent authority.
- 1.7 An employee who is on leave on medical certificate will be permitted to return to duty only on production of a medical certificate of fitness.
- 1.8 Leave sanctioning authority may secure second medical opinion, if it considers necessary.
- 1.9 Overstay of leave without proper sanction, will be debited against the Half Pay Leave account of the employee to the extent HPL is due and excess treated as Extraordinary leave. No leave salary is admissible for the entire period of overstay and the period of such overstay will not count for increment.
- 1.10 Absence from duty after the expiry of leave renders an employee liable to disciplinary action.

2. **EARNED LEAVE**

- 2.1 In case of non-vocational staff credit will be afforded in advance at a uniform rate of 15 days on the 1st of January and 1st of July every year. The credit to be afforded will be reduced by 1/10th of extra ordinary leave availed and/or period of dies-non during the previous half-year, subject to a maximum of 15 days and to the extent of such credit only.
- 2.2 Earned leave can be accumulated upto 300 days.

- 2.3 While limiting the maximum of 300 days, where the balance at credit is 286-300 days, further advance credit of 15 days on 1st January/1st July will be kept separately and set off against the EL availed of during that last half year ending 30th June/31st December. However, if the leave availed is less than 15 days, the remainder will be credited to the leave account subject to the ceiling of 300 days at the close of that half-year.
- 2.4 The credit for the half-year in which an employee is appointed will be afforded at the rate of 2½ days for each completed calendar month of service which he is likely to render in the calendar half-year in which he is appointed.
- 2.5 The credit for the half-year in which an employee is due to retire or resigns from the service will be afforded at the rate of 2 ½ days per completed calendar month in that half-year upto the date of retirement/resignation.
- 2.6 The credit for the half-year in which an employee is removed/dismissed from service or dies in service, will be afforded at the rate of 2 ½ days per completed calendar month upto the end of the calendar month preceding the calendar month in which he is removed/dismissed/dies.
- 2.7 If an employee, who retires/resigns/is removed/is dismissed/dies in the middle of a calendar year, has taken any extraordinary leave during that half-year, the earned leave credited should be reduced at the rate of 1/10th of such extraordinary leave and the leave account regularized.
- 2.8 While affording credit, fraction of a day should be rounded off to the nearest day e.g. 7 ½ days to be rounded as 8 days.
- 2.9 Earned leave can be availed upto 180 days at a time.
- 2.10 Earned leave exceeding 180 days but not exceeding 240 days at a time may be granted to Group `A` and Group `B` officers, if the entire leave or at least the amount of leave in excess of 180 days is spent outside India, Bangladesh, Bhutan, Burma, Sri Lanka, Nepal and Pakistan.
- 2.11 Earned leave may be availed at a time up to 300 days in the case of leave preparatory to retirement.

3. HALF-PAY LEAVE

- 3.1 Half-pay leave is credited in advance at the rate of 10 days on the 1st of January and 1st of July every year. The credit for the half-year in which an employee is appointed will be at the rate of 5/3 days for each completed calendar month of service he is likely to render in the half-year in which he is appointed.

- 3.2 The half-pay leave to be credited every half-year will be reduced at the rate of one-eighteenth of the period of dies-non/suspension treated as dies-non, during the previous half-year, subject to a maximum of ten days.
- 3.3 The credit for the half-year in which an employee is due to retire/resigns will be afforded at the rate of 5/3 days for each completed calendar month in that half-year up to the date of retirement/resignation.
- 3.4 The credit for the half-year in which an employee is removed/dismissed from service or dies in service will be afforded at the rate of 5/3 days per completed calendar month up to the end of the calendar month preceding the calendar month in which he is removed/dismissed/dies.
- 3.5 Half-pay leave can be availed either with or without medical certificate.
- 3.6 Half-pay leave can be converted into full pay leave by taking it as 'commuted leave' if the leave applied for was on medical certificate.

4. **COMMUTED LEAVE**

- 4.1 Commuted leave not exceeding half the amount of half-pay leave due can be taken on medical certificate.
- 4.2 Commuted leave up to a maximum of 90 days can be taken during the entire service without medical certificate where such leave is utilized for an approved course of study certified to be in university interest.
- 4.3 Commuted leave up to a maximum of 60 days can be granted to a female employee in continuation of maternity leave without medical certificate.
- 4.4 Commuted leave up to a maximum of 60 days can be granted without medical certificate to a female employee with less than two living children, on adoption of a child less than one year old.
- 4.5 Commuted leave can be granted only when the leave sanctioning authority is satisfied that there is a reasonable prospect of the employee returning to duty on its expiry. So, it cannot be granted as leave preparatory to retirement.
- 4.6 If commuted leave is taken, twice the number of days availed should be debited in the half-pay leave account.
- 4.7 Where an employee granted commuted leave quits service voluntarily without returning to duty, the commuted leave shall be treated as half-pay leave and the excess leave salary recovered. If the retirement is by reason of ill-health incapacitating him for further service or in the event of death, recovery should not be made.
- 4.8 Commuted leave may be granted at the request of the employee even when earned leave is due to him.

5. **LEAVE IN VACATION DEPARTMENT**

- 5.1 The leave entitlement of teachers serving in vacation Department (i.e., departments where regular vacations are allowed during which those serving in them are permitted to be absent from duty) are the same as those serving in Non-vacation Departments except in respect of '**Earned leave**'.
- 5.2 Credit of Earned leave in the leave account of a teacher serving in vacation department will be given with 5 days on the 1st of January and 1st of July every year. The credit to be afforded will be reduced by 1/30th of any period of Extra Ordinary Leave availed and/or dies-non during the previous half year subject to maximum of 5 days. When appointed or ceased to be in service, the credit for that half year will be allowed at 5/6th day of each completed month of service likely to render/rendered in that half year.
- 5.3 In addition to above, teachers will also be given credit of leave in Earned leave account @ 1/3 of the period if any, during which he/she is required to perform duty during vacation subject to condition that in one calendar year the total Earned leave credited does not exceed 30 days.

6. **LEAVE NOT DUE**

- 6.1 Leave not due is granted when there is no half-pay leave at credit and the employee requests for the grant of Leave Not Due.
- 6.2 Temporary officials with one year's service and suffering from TB, Leprosy, Cancer or Mental illness may also be granted LND if the post from which the official proceeds on leave is likely to last till his return.
- 6.3 It is granted only on medical certificate (Exception: 4&5 below) if the leave sanctioning authority is satisfied that there is a reasonable prospect of the employee returning to duty on its expiry.
- 6.4 It may be granted without medical certificate in continuation of maternity leave.
- 6.5 It may be granted without medical certificate to a female employee with less than two living children, on adoption of a child less than one year old.
- 6.6 The amount of leave should be limited to the half-pay leave that the employee is likely to earn subsequently.
- 6.7 Leave not due during the entire service is limited to a maximum of 360 days.
- 6.8 Leave not due will be debited against the half-pay leave that the employee may earn subsequently.
- 6.9 Leave not due is not granted in case of '**Leave preparatory to retirement**'.

- 6.10 When an employee granted leave-not-due resigns from service or at his request permitted to retire voluntarily without returning to duty, the leave not due should be cancelled. The resignation or retirement will take effect from the date on which such leave had commenced and the leave salary should be recovered.
- 6.11 Where an employee, who having availed himself of leave not due, returns to duty but resigns or retires from service before he has earned such leave, he shall be liable to refund the leave salary to the extent the leave has not been earned subsequently.
- 6.12 In case of 10 and 11 above, leave salary will not be recovered if the retirement is by reason of ill health incapacitating the employee for further service or in the event of his death or if he is retired prematurely.

7. MATERNITY LEAVE

- 7.1 Granted to female employees:-
- (a) Pregnancy: **135** days – Admissible only to employees with less than two surviving children.
 - (b) Miscarriage/abortion (induced or otherwise): Total of **45** days in the entire service. However, any such leave taken prior to 16.6.1994 will not be taken into account for this limitation. Admissible irrespective of number of surviving children. Application to be supported by a certificate from a registered medical practitioner of Jamia's approved hospitals.
- 7.2 The leave is not debited to the leave account.
- 7.3 It is granted on full pay.
- 7.4 It may be combined with leave of any other kind.
- 7.5 Any leave (including commuted leave up to 60 days and leave not due) may be taken without medical certificate upto one year in continuation.
- 7.6 Counts as service for increments.
- 7.7 Counts as service for pension.
- 7.8 Not admissible for 'threatened abortion'.

8. PATERNITY LEAVE

A male employee with **less than two surviving children** may be granted Paternity Leave for a period of **15 days** during the confinement of his wife. During the period of such leave he shall be paid leave salary equal to the pay drawn immediately before proceeding on leave. Paternity Leave shall not be debited against the leave account and may be combined with other kind of leave as in the case of Maternity Leave.

9. STUDY LEAVE

- 9.1 May be granted to all permanent employees with not less than five years' service for undergoing a special course consisting of higher studies or specialized training in a professional or technical subject having a direct and close connection with the sphere of his duties in the university.
- 9.2 Course should be certified to be of definite advantage to employee from the point of view of university interest.
- 9.3 The particular study or study tour should be approved by the authority competent to grant leave.
- 9.4 The official on his return should submit a full report on the work done by him while on study leave.
- 9.5 Not granted ---
- a) for studies out of India if facilities for pursuing of such studies are available in India.
 - b) to an official who is due to retire within five years of his return to duty after the study leave.
 - c) to some official with such frequency as to remove him from contract with his regular work or cause cadre difficulties owing to his absence on leave.
- 9.6 The employees should have satisfactorily completed period of probation and has rendered not less than five years of regular continuous satisfactory service including the period of probation.
- 9.7 Maximum period is **24 months** in the entire service and may be granted at a stretch or in different spells.
- 9.8 This will not be debited to the leave account. May be combined with any other leave due, but maximum period of continuous absence, including vacation, if any, but excluding extraordinary leave, should not exceed 28 months generally, and 36 months for course of study leading to Ph.D. degree.
- 9.9 Requisite bonds in the prescribed forms are to be executed by the employees.
- 9.10 If the course falls short of the study leave, the official should resume duty on conclusion of the course; or the excess period may be created as ordinary leave with the leave sanctioning authority's prior approval.
- 9.11 Leave salary: Pay last drawn plus dearness allowance, house rent allowance, compensatory (city) Allowance and in addition stipend, scholarship or remuneration for any part-time employment during the period of study leave should be adjusted against the leave salary.

Note: HRA and CCA are payable for the first 180 days at the rates applicable at the last place of duty; continuance of these allowances beyond 180 days will be subject to the production of prescribed certificates for the drawal.

Resignation or retirement after study leave or not completing the course of study – If an official after availing of study leave resigns from service or otherwise quits within three year after return to duty or does so without returning to duty at all from Study leave, or fails to complete the course of study, he should refund (i) the actual amount of leave salary, study allowance, cost of fees, T.A. and other expenses, if any, incurred by the University and (ii) the actual amount, if any, of the cost incurred by other agencies such as Foreign Governments, Foundations, Trusts in connection with the course of study, with interest thereon at the prescribed rates.

10. **EXTRA ORDINARY LEAVE**

10.1 A permanent teacher and **those given temporary appointment against Self-financing posts on the recommendations** of the duly constituted Selection Committee may be granted Extra Ordinary Leave:

- (a) When no other leave by rule is admissible.
- (b) When other leave is admissible but the teacher concerned applies in writing for the grant of Extra Ordinary leave.

10.2 Extra Ordinary Leave shall always be without pay and allowances and it 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 cases beyond the control of teacher, such as inability to join or rejoin duty due to civil commotion or a natural calamity, provided that teacher has no other kind of leave to his credit.
- c) Leave taken for pursuing higher studies; and
- d) Leave granted to accept an offer to a teaching post or fellowship or research-cum-teaching post or an assignment for technical or academic work of importance or consultancy/advisory assignment with approved institutions/organizations at national/international level.
- e) Extra Ordinary Leave shall also be granted for academic pursuit.

10.3 The total period of Extra Ordinary Leave granted to an employee during his entire service shall not exceed five years.

10.4 Out of five years of Extra Ordinary Leave in the entire service, the total period of leave granted to a permanent teacher to accept an offer to a teaching post or fellowship or research cum-teaching post or an assignment for technical or academic work of

importance or consultancy/advisory assignment with approved institutions/ organizations at national/international level shall **not exceed three years**. The employees working against Self-financing posts on temporary basis (appointed through duly constituted Selection Committee) may be granted Extra Ordinary Leave for a period **not exceeding two years** in the entire service for the above purpose. **The leave may be granted to those teachers who have put in more than ten years of service.**

- Note:** (a) At no time more than $\frac{1}{4}$ of the sanctioned strength of teachers of a Department shall be allowed to be absent from the Department on Extra Ordinary Leave/Study Leave.
- (b) The period of Extra Ordinary Leave shall not count for Pensionary/Contributory Provident Fund benefits unless the Pensionary/Contributory Provident Fund contributions are paid by the employee concerned.
- (c) The application for Extra Ordinary Leave shall be sent through Head of the Department and Dean of the Faculty concerned, who shall give their specific recommendations keeping in view the strength of the teaching staff.

10.5 These rules shall also be applicable to Non-teaching employees except that their period of Extra Ordinary Leave will not be treated as approved service.

- 10.6 If a teacher having more than five years service gets selected for a higher permanent position in other organization, he/she may be sanctioned Extra Ordinary leave for a maximum period of two years or till his/her confirmation there, whichever is earlier so as to retain his/her lien on the post in the University. On the expiry of leave, the concerned teacher will have to resume duty or tender his resignation failing which he/she will be deemed to have vacated the post and ceased to be in the service of Jamia Hamdard.
- 10.7 In case leave is required for pursuing higher studies, the minimum period of service shall be reckoned as five years both in case of permanent employees and those working on temporary basis against self-financing post.

11. CASUAL LEAVE

- 11.1 An official on casual leave is not treated as absent from duty and his pay is not intermitted.
- 11.2 The total number of casual leave that can be granted to teacher/non teaching employee shall **not exceed 10 days** in one calendar year. In case of official joining in the middle of a year, the limit may be proportionately reduced at the discretion of the competent authority. It cannot be carried over to the next leave year.
- 11.3 Casual leave is essentially intended for short periods. It should not normally be granted for more than 8 days at any one time, except under special circumstances.

- 11.4 Casual Leave cannot be combined with any other kind of leave or joining time except Special Casual leave or vacation. Sundays and Holidays can be prefixed or suffixed to Causal leave. Sundays and Holidays falling during a period of Casual leave are not counted as part of Casual Leave.
- 11.5 Causal Leave can be taken for half day.
- 11.6 L.T.C. can be availed during Casual Leave

12. SPECIAL CASUAL LEAVE

- 12.1 Special Casual Leave may be granted to permanent teachers upto the **limit of 10 days** in a calendar year in connection with the following:
- (i) To conduct examination of a University, Public Service Commission or to do such other work as may be approved by the Vice-Chancellor as academic work.
 - (ii) To attend seminars, literary or scientific conferences.
 - (iii) To inspect academic institutions attached to Statutory Board etc.
 - (iv) To work on committees appointed by the Universities, Government or University Grants Commission.

Special Casual Leave for the following purposes will be admissible to all the regular/permanent employees.

12.2 FOR FAMILY PLANNING

- a) In case of Male employee (i) Maximum of **six working days** for vasectomy operation on production of Medical Certificate. (ii) Maximum of **21 days** for undergoing recanalization operation (iii) Maximum of **7 days** if his wife undergoes tubectomy, laproscopy or salpingectomy operation. The leave should follow the date of operation.
- b) In case of female employee (i) Maximum of **14 days** for tubectomy/laproscopy. (ii) Maximum of **14 days** for salpingectomy operation after Medical Termination of Pregnancy(MTP) (iii) Maximum of **21 days** for recanalization operation.

12.3 NATURAL CALAMITIES, BANDHS ETC.

Heads of Departments may grant special Casual Leave to employees residing at places 8 km. away from their office, when they are unable to attend office due to dislocation of traffic arising out of natural calamities, bandhs, etc. If the absence was due to picketing or disturbances or curfew, Special Casual leave may be granted irrespective of the distance from residence to office.

12.4 DURING ELECTIONS

During General elections/by-elections to Lok Sabha/State assembly, employees enrolled as voters in a constituency but having offices in another constituency, are entitled to a **day's** Special Causal leave on the day of election in their home constituency to enable them to exercise their franchise if their offices are not closed on that day.

Note: Special Casual Leave can be combined with regular leave or Causal Leave but combination of both Casual Leave and regular leave with Special Casual Leave is not permissible. It may be granted in combination with holidays or the vacation.

13. DUTY LEAVE

13.1 Duty leave may be granted to a permanent teacher/officer for;

- i) attending conferences, congresses, symposia, seminars etc. on behalf of the university.
- ii) delivering lectures in institutions and universities at the invitation of such institutions or universities approved by the Vice-Chancellor.
- iii) working in another Indian / Foreign University, Institution or organization or international agency when so deputed by the University or for performing any other duty for the University.
- iv) working on a delegation or Committee appointed by the State or Central Government, the University Grants Commission, a Sister University or any other Academic or Autonomous Bodies
- v) visiting foreign countries under Cultural & Bilateral Exchange Programme Indo-US Fellowship, Indo-US Exchange of Scientist Programmes sponsored by the University Grants Commission or any other recognized body.

13.2 The **duration of leave** should be such as may be considered necessary by the Vice-Chancellor on each occasion.

- Note:
1. Duty leave may be combined with Earned leave, Half-Pay leave or Extra Ordinary leave.
 2. Person availing Duty Leave for the purpose of attending seminars/symposia, workshops and courses shall be required to give a talk in the department highlighting the objectives and elaborating the theme and indicating his contribution and stressing the benefit derived from the seminar and their applicability to the functioning of the university and to the departments concerned.

14. COMPENSATORY LEAVE

- 14.1 Compulsory Attendance on Sundays or other public holidays justifies the grant of compensatory leave for the number of days a non-teaching employee is directed to attend the office, unless it is imposed on him as a penalty or it is required to clear arrears for which he is personally responsible. The attendance in such cases should be under prior orders of the officer-in-charge.
- 14.2 No compensatory leave under para 14.1 above will be admissible to an employee who is paid Overtime Allowance or TA/DA for the day of compulsory attendance on Sundays and other holidays.
- 14.3 Compensatory leave should be treated like Casual Leave. However, the Compensatory leave to the extent actually earned may be availed within one month of the entitlement otherwise the same will be treated as lapsed.
- 14.4 Compensatory leave is not admissible to holders of supervisory posts like Assistant Registrar, Asst. Finance Officer, Estate Officer, OSD and any other non academic officer of equivalent grade.

15. SABBATICAL LEAVE

- 15.1 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 to undertake study or research or other academic pursuit solely for the object of increasing their proficiency and usefulness to the university and higher education system.
- 15.2 The duration of leave shall **not exceed one year** at a time and **two years** in the entire career of a teacher.
- 15.3 A teacher who has availed himself/herself of Study leave, would not be entitled to the Sabbatical leave.

Provided further that sabbatical leave shall not be granted until after the expiry of five years from the date of the teacher's return from previous study leave or any other kind of training programme.

- 15.4 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/her immediately prior to his/her proceeding on Sabbatical leave.
- 15.5 A teacher on Sabbatical leave shall not take up during the period of that leave, any regular appointment under another organization in India or abroad. He/she may, however, be allowed to accept a fellowship or a research scholarship or adhoc teaching and research assignment with honorarium or any other form of assistance, other than

regular employment in an institution of advanced studies, provided that in such cases the Executive Council may, if it so desires, sanction Sabbatical leave on reduced pay and allowances.

- 15.6 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 that the teacher rejoins the university on the expiry of his/her leave.

- Note:**
1. The programme to be followed during sabbatical leave shall be submitted to the university for approval alongwith 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.