

## **Leave Rules for the employees of the Institute on Regular Pay Scale**

### **1. Applicability**

These leave provisions shall apply to all employees of the Institute on regular pay scale.

### **2. Right of Leave**

Leave cannot be claimed as of right and when the exigencies so demand, leave of any description may be refused or revoked by the authority empowered to sanction the leave.

### **3. Authority empowered to sanction leave**

- (1) Applications for leave shall be addressed to the Chairman by the Director General and to the Director General or to a member of the faculty/staff designated by the Director General by the other employee of the Institute.
- (2) Leave may be sanctioned by the Director General or by an employee to whom the power has been delegated by the Director General.
- (3) The Chairman may sanction leave to the Director General, but the Director General can avail himself/herself of casual leave on his/her own authority.

### **4. Commencement and termination of leave**

- (1) Leave ordinarily begins from the date on which leave as such is actually availed of and ends on the day preceding the one on which duty is resumed.
- (2) Saturdays, Sundays and other holidays or the vacation may be prefixed as well as suffixed to leave subject to any limit of absence on leave prescribed under each category of leave.

### **5. Combination of leave**

Except as otherwise provided in this Schedule, any kind of leave under these provisions may be granted in combination with or in continuation of any other kind of leave, subject to any limit on the aggregated period of absence, as may be prescribed in such cases.

### **6. Grant of leave beyond the date of retirement and in the event of resignation**

- (1) No leave shall be granted beyond the date on which an employee must compulsorily retire.

Provided that the authority empowered to grant leave may allow any employee who had been denied earned leave in whole or in part on account of exigencies of service, the whole or any portion of the earned leave so denied even though it extends to a date beyond the date on which such employee must compulsorily retire :

Provided further that an employee whose service has been extended in the interest of public service beyond the date of his/her compulsory retirement, may be granted earned leave as under:-

- (i) During the period of extension any earned leave due in respect of the period of such extension, and to the extent necessary, the earned leave which would have been granted to him/her under the preceding proviso had he retired on the date of compulsory retirement;
- (ii) After the expiry of the period of extension :
  - (a) The earned leave which could have been granted to him/her under the preceding proviso, had he retired on the date of compulsory retirement, diminished by the amount of such leave as availed of during the period of extension; and

- (b) Any leave earned during the period of extension as has been formally applied for as preparatory to final cessation of his/her duties in sufficient time during the period of extension and refused to him/her on account of exigencies of public service;
- (iii) In determination the amount of earned leave due, during the period of extension, the earned leave, if any, admissible under the preceding proviso shall be taken into account.

**Note:** For the purpose of this paragraph, an employee may be deemed to have been denied leave only if a sufficient time before the date on which he must compulsorily retire or the date on which his/her duties finally cease he/she has either formally applied for leave and been refused it on the ground of exigencies of service or has ascertained in writing from the sanctioning authority that leave if applied for would not be granted on the aforesaid ground.

- (2) If any employee of the Institute resigns, he/she shall not be granted either prior or subsequent to his/her resignation, any leave due to his/her credit. Provided that the Director General, may, in any case, grant leave to an employee prior to his/her resignation if in the opinion of the Director General, the circumstances of the case justify such grant of leave.

#### **7. Conversion of one kind of leave into another leave**

- (1) At the request of an employee the sanctioning authority may convert any kind of leave including extra ordinary leave, retrospectively into a leave of different kind which may be admissible as on the day on which the employee proceeded on leave, but the employee cannot claim such conversion as a matter of right.
- (2) If one kind of leave is converted into another the amount of leave salary and allowances admissible shall be recalculated and the arrears of leave salary and allowances paid or amounts overdrawn recovered, as the case may be.

#### **8. Rejoining of duty on return from leave on medical grounds**

An employee who has been granted leave on medical certificate shall be required to produce a medical certificate of fitness before resuming duty.

#### **9. Rejoining of duty before the expiry of leave**

Except with the permission of the authority which granted the leave, no employee on leave may return to duty before the expiry of the period of leave granted to him/her.

#### **10. Absence after expiry of leave**

- (1) Unless the authority competent to grant leave extends the leave, an employee who remains absent after the end of leave is entitled to no leave salary for the period of such absence and that period shall be debited against his/her leave account as though it were half pay leave, to the extent such leave is due, the period in excess of such leave due being treated as extraordinary leave.
- (2) Wilful absence from duty after the expiry of leave renders an employee liable to disciplinary action.

## **11. General**

- (1) Leave should always be applied for and sanctioned before it is taken except in cases of emergency and for satisfactory reasons.
- (2) Entitled leave in continuous temporary service followed by permanent service without any break shall be included in computation of leave in permanent service.

## **12. Kinds of leave**

The following kinds of leave shall be admissible:

- (a) Casual Leave
- (b) Special Casual Leave
- (c) Special Leave
- (d) Half-pay Leave
- (e) Commuted Leave
- (f) Earned Leave
- (g) Extra-ordinary Leave
- (h) Maternity Leave
- (i) Paternity Leave
- (j) Hospital Leave
- (k) Quarantine Leave
- (l) Leave-not-due
- (m) Sabbatical Leave
- (n) Study Leave

## **13. Casual Leave**

- (1) Casual Leave is not earned by duty. An employee on casual leave is not treated as absent from duty and his/her pay is not intermitted. Casual leave cannot be claimed as of right and its grant is always subject to the exigencies of service and subject to a maximum of eight in the aggregate in a Calendar year.
- (2) Casual Leave may be granted at the discretion of the sanctioning authority, as and when occasion arises, provided that the total period of absence including Saturdays, Sundays and other holidays intervening, prefixed or suffixed shall not ordinarily exceed eight days at a time. Saturdays, Sundays and holidays, whether intervening, prefixed or suffixed shall not be counted as casual leave.
- (3) Casual leave cannot be combined with any other kind of leave.

## **14. Special Casual Leave**

- (1) Special Casual leave, not counting towards ordinary Casual Leave, may be granted to an employee when he/she is;
  - (i) Summoned to serve as Juror or Assessor or to give evidence before a court of law as a witness in a civil or a criminal case in which his/her private interests are not at issue;
  - (ii) deputed to attend a reference Library of other Institute or Conferences and scientific gatherings of learned and professional societies in the interest of the Institution;
  - (iii) required to be absent for any other purposes approved by the Board of Governors for categories of staff.

- (2) The period of such leave admissible in a year shall ordinarily not exceed fifteen days but should, however, be sufficient to cover the period of absence necessary.

### **15. Special Leave**

Members of the staff deputed for practical training in or out of country shall be entitled to special leave as may be determined by the Board in each case.

### **16. Half-Pay Leave**

- (1) The half-pay leave admissible to an employee in respect of each completed year of service shall be 20 days and credited in advance at the rate of 10 days on 1st January and 10 days on 1st July.

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/she is appointed.

- (2) Half-pay leave may be granted to an employee on medical certificate or on private affairs. No half-pay leave may be granted to an employee in temporary appointment except on medical certificate:

Provided that in case of a temporary member of staff, no half-pay leave will be granted unless the authority competent to sanction leave is ready to believe that the staff will return to duty on the expiry of the leave, except in the case of a staff who has been declared completely and permanently incapacitated for further service by medical authorities.

### **17. Commuted Leave**

- (1) Commuted leave not exceeding half the amount of the half-pay leave may be granted on medical certificate to an employee subject to the following conditions.
  - (a) When commuted leave is granted, twice the amount of such leave shall be debited against the half-pay leave account.
  - (b) The total duration of earned leave and commuted leave taken in conjunction shall not exceed 240 days provided that no commuted leave may be granted under this provision unless the authority competent to sanction leave has reason to believe that the employee will return to duty on its expiry.
- (2) Half-pay leave up to a maximum of 180 days may be allowed to be commuted during the entire service where such leave is utilised for an approved course of study such as a course which is certified to be in public interest by the leave sanctioning authority.

### **18. Earned Leave**

- (1) Earned leave admissible to members of teaching employee:
  - (i) During the period of one academic year, the period of vacation for an employee entitled to it will be 60 days.
  - (ii) In case such an employee is required to remain on duty during the whole or any part of the vacation he shall be eligible to the following amount of earned leave on full pay :

<b>Duration of duty during Vacation</b>	<b>Eligibility to Earned Leave on Full Pay</b>
Entire Vacation	30 days
Part of Vacation	$\frac{\text{Number of days of vacation not availed of 30 x}}{\text{Number of days of the entire vacation}}$

- (2) Earned Leave admissible to members of the non-teaching employee
- (i) The earned leave admissible to a non-teaching employee, shall be 30 days in a Calendar year.
  - (ii) Leave account of every said employee shall be credited with earned leave in advance in two instalments of 15 days each on the first January and first July every year.
  - (iii) The leave at the credit of an employee at the close of the previous half year shall be carried forward to the next half year, subject to the condition that the leave so carried forward plus the credit for the half-year do not exceed the maximum limit as laid down by the government from time to time.
- (3) Limits of accumulation and grant (applicable to all employees)
- (i) Earned leave can be accumulated up to days as specified by Government from time to time.
  - (ii) The maximum amount of earned leave that can be granted to an employee at a time shall be 180 days. Earned leave may be granted for a period exceeding 180 days if the entire leave so granted or any portion thereof is spent outside India, Bangladesh, Bhutan, Burma, Sri Lanka, Nepal and Pakistan, provided that when earned leave exceeding 180 days is so granted the period of such leave spent within India, Bangladesh, Bhutan, Burma, Sri Lanka, Nepal and Pakistan, shall not in the aggregate exceed 180 days.
  - (iii) Accumulated earned leave may be availed at a time up to number of days as prescribed by the Government from time to time in the case of leave preparatory to retirement.

### **19. Extraordinary Leave:**

- (1) Extraordinary leave shall always be without leave salary and may be granted when no other kind of leave is admissible or when other leave being admissible, the employee concerned specifically applied in writing for the grant of extraordinary leave.
- (2) The period of extra-ordinary leave shall not count for increment except when such leave is granted due to sickness on medical certificate or for pursuing higher studies, provided that in case of any doubt whether the extraordinary leave taken was for pursuing higher studies or not, the decision of the Board shall be final.
- (3) (a) Except in the of case of a permanent employee, the duration of extra- ordinary leave on any one occasion shall not exceed the following limits :
  - (i) three months
  - (ii) six months, in cases of employee who has completed one year's continuous service on the date of expiry of the leave admissible to him/her under the rules, and his/her request for such leave is supported by a medical certificate.

- (iii) Eighteen months where the employee is suffering from tuberculosis, leprosy or cancer and undergoing treatment in a recognised clinic or under a specialist.
  - (b) Where an employee, other than a permanent employee, fails to resume duty on expiry of the maximum amount of extra- ordinary leave granted to him/her, or where such an employee who was granted a lesser amount of extra-ordinary leave than the maximum amount admissible to him/her, remains absent from duty for any period which, together with the period of extraordinary leave granted to him/her exceeds the limit up to which he could have been granted extra-ordinary leave under sub-rule (a), he shall, unless the Board in view of the exceptional circumstances of the case otherwise determine, be deemed to have resigned his/her appointment and shall cease to be in institute employ.
- (4) The authority empowered to grant leave may commute retrospectively period of absence without leave into extraordinary leave.

## **20. Maternity Leave**

- (1) (a) Maternity leave may be granted to a woman employee with less than two surviving children on full pay for a period of 180 days from the date of its commencement.
- (b) Maternity leave not exceeding 45 days may also be granted to a woman employee (irrespective of the number of surviving children) on full pay during her entire service in cases of miscarriage including abortion on production of medical certificate.
- (2) Maternity leave shall not be debited to the leave account. Maternity leave may be combined with leave of other kind except casual leave but any leave applied for in continuation of maternity leave may be granted only if the application is supported by a medical certificate.

## **21. Paternity leave**

- (1) A male staff member with less than two surviving children may be granted Paternity Leave for a period of 15 days, during the confinement of his wife for childbirth, that is, up to 15 days before, or up to six months from the date of delivery of the child.
- (2) The Paternity leave may be combined with leave of any other kind except Casual Leave.
- (3) Paternity leave shall not be debited to the leave account.

## **22. Hospital leave**

- (1) Hospital leave may be granted to an employee under medical treatment for illness or injury if such illness or injury is directly due to risks incurred in the course of his official duty. This concession will be available to such employees of the staff, the nature of whose duties expose them to such illness or injury and whose appointing authority is the Director General.
- (2) Hospital Leave may be granted on leave salary, either average or half average as the authority granting it may consider necessary.
- (3) Employees eligible for Hospital leave will be entitled to such leave without any restriction on the quantum of leave and the leave can be granted for such period as it considered necessary by the authority competent to grant it.

- (4) Hospital leave is not debited against the leave account and may be combined with any other leave which may be admissible, provided that the total period of leave after such combination shall not exceed 28 months.

### **23. Quarantine Leave**

- (1) Quarantine Leave is granted when an employee is precluded under orders of the competent medical authority from attending office in consequence of an infectious disease in his/her family or household. Such leave can be granted only on the certificate of a medical or public health officer duly authorized by the Institute. Maximum duration of Quarantine leave is ordinarily twenty one days and may be extended up to thirty days in exceptional circumstances. Any absence beyond these limits has to be treated as regular leave as available in the leave account of the employee. An employee on Quarantine leave is not treated as absent from duty and his/her pay is not interrupted.
- (2) Quarantine leave is not admissible if the employee himself/herself is suffering from an infectious disease.
- (3) Covid, Cholera, Small pox, Plague, Diphtheria, Typhus fever and Cerebrospinal Meningitis can be treated as infectious diseases for the grant of Quarantine leave. In the case of Chicken pox, however, no Quarantine leave can be granted unless the designated medical officer considers that in view of some doubt about the nature of the disease there is reason for grant of such leave.

### **24. Leave-not-due**

- (1) Leave-not-due is admissible when no other kind of leave is due and admissible.
- (2) Save as in the case of leave preparatory to retirement, leave- not-due may be granted to a permanent member of staff both on medical certificate and on private affairs for a period not exceeding 360 days during his/her entire service out of which not more than 180 days in all can be on private affairs.
- (3) Leave-not-due shall be granted to an employee only if the sanctioning authority is satisfied that there is reasonable chance of the employee returning to duty on expiry of leave and shall be limited to half-pay leave which he/she is likely to earn thereafter.
- (4) An employee while on Leave-not-due is entitled to the same leave salary as during half-pay leave.

### **25. Sabbatical Leave**

- (a) A faculty member may avail six-month or one-year sabbatical (including the duration of vacation). However, the faculty member may be granted in addition any other leave up to a maximum of 120 days which the member might have earned during the service at the Institute.
- (b) One will be eligible for the first sabbatical, after completion of six years or more of continuous service with the Institute as a faculty member. The period spent as a faculty on contract, or leave from another institute or deputation may be counted.
- (c) For subsequent sabbaticals:
  - (i) One will be eligible for a one-year sabbatical six years after returning from a previous sabbatical.

- (ii) One will be eligible for a six-month sabbatical four years after returning from a previous sabbatical.
- (d) Where the faculty member has availed of special leave or deputation for a period of one year or more, the requirements of four years and six years in para (b) and (c) above will be counted after their return from such special leave or deputation.
- (e) The sabbatical period should be aligned with the semester system at IITRAM, such that one does not miss more than one semester of teaching in case of six-month sabbatical, and does not miss more than two semesters of teaching in case of one-year sabbatical. Thus, if someone avails of a sabbatical from October 1 (middle of the semester) to March 31 (middle of the next semester), it will be treated as a “one-year sabbatical” (and not a “six-month sabbatical” even though the person was away for only six months) for the above purposes.
- (f) A faculty member may avail upto a total of three years (that is, six semesters) of sabbatical leaves during the entire service and this may consist of a combination of one-year (two semester) and six month (one semester) sabbaticals.
- (g) During sabbatical, faculty members may be paid full salary and allowances as admissible under normal rules. However, s/he will not be eligible for transport allowance or any other extra allowance in India or abroad.
- (h) Faculty members shall not undertake any regular appointment (in India or abroad) during their sabbatical period. However, they will be free to receive a scholarship or fellowship or bursary or any other „ad hoc“ honorarium other than his/her regular employment.
- (i) Faculty members availing sabbatical leave may be allowed to manage their projects, submit reports to their sponsors, guide thesis students, etc. However, this is subject to satisfaction of the Institute authorities that this is not likely to put the Institute in a difficulty with respect to a sponsoring agency or with respect to progress of the student in thesis.
- (j) Faculty members may use any funds available in their CPDA/PDA for professional activities during the sabbatical period.
- (k) If member of the Academic Council, the faculty members on sabbatical may choose to participate in the Academic Council meetings at their discretion.
- (l) Faculty members may avail other amenities in the Institute campus, such as the health centre during the sabbatical.
- (m) Faculty Members availing sabbatical leave shall furnish a bond in the prescribed form to serve the Institute for a minimum period of three years on return to duty after a one-year sabbatical, and a minimum period of two years on return to duty after a six-month sabbatical.
- (n) The faculty member shall be required to pay to the Institute, a sum equal to the salary including allowances drawn by him/her from the Institute during the period of such leave together with interest thereon at the rate in force on Government loans, if he/she fails to serve the Institute for the period specified above in (m) after completion of Sabbatical/ Study Leave.



## 26. Study Leave

- (1) Study Leave is granted to an employee with not less than five years of continuous regular service for undergoing a special course consisting of higher studies or specialised training in a professional or technical subject having a direct and close connection with the sphere of his or her duties or being capable of widening his or her mind in a manner likely to improve his/her ability.
- (2) Course should be certified to be of definite advantage to the Institute from the point of view of public interest.
- (3) The competent authority to grant leave should approve the particular study or study tour.
- (4) The staff member on his or her return should submit a full report on the work done during study leave.
- (5) Study leave is not admissible
  - (a) for studies outside of India if facilities for such studies exist in India;
  - (b) to an official due to retire within three years on return from the study leave;
  - (c) to same official with such frequency as to remove him/her from contact with his/her regular work or cause cadre difficulties owing to his/her absence on leave.
- (6) Maximum period of study leave which may be granted shall be
  - (a) 24 months in the entire service period; and
  - (b) ordinarily twelve months at any one time.
- (7) Study leave shall not be debited to the leave account.
- (8) Study leave 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 study leading to Ph.D. degree.
- (9) Requisite Bonds in the prescribed forms are required to be executed by the staff member before proceeding on study leave. The bond amount will be decided by the Board.
- (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 treated as ordinary leave with the leave sanctioning authority's prior approval.
- (11) Leave Salary:
  - (a) Outside India: Pay last drawn plus Dearness Allowance, House Rent Allowances, and in addition, Study Allowance admissible;
  - (b) In India: Leave salary will be equal to pay last drawn plus Dearness Allowance, House Rent Allowances. No study allowance admissible.
  - (c) Stipend, scholarship or remuneration for any part-time employment during the period of study leave should be adjusted against the leave salary subject to the conditions that the leave salary will not be less than that admissible during half pay leave.

**27. Salary during vacation and leave salary**

- (1) An employee of the Institute entitled to vacation shall be eligible for pay and allowances at full rates during the period of vacation.
- (2) An employee who proceeds on earned leave shall be entitled to leave salary equal to the pay drawn immediately before proceeding on leave.
- (3) An employee on half pay leave or leave-not-due is entitled to leave salary equal to the half amount specified in sub-paragraph (2).
- (4) An employee on commuted leave is entitled to leave salary equal to sub-paragraph (2).
- (5) An employee on extraordinary leave is not entitled to any leave salary.

**28. Limit of total Absence**

An employee ceases to be in service of the Institute if he is continuously absent from duty for five years, whether with or without leave, unless the Board, in view of the exceptional circumstances of the case otherwise determines.

**29. Cash payment equivalent of leave salary in case of death in service**

In case an employee dies while he is in service, the cash equivalent of the leave salary that the deceased employee would have got had he gone on admissible earned leave on the date of death, shall be given to his/her family subject to a maximum of leave salary for 300 days (excluding the number of days for which encashment has been allowed along with Leave Travel Concession while in service).

**30. Cash payment in lieu of unutilized earned leave on the date of retirement.**

An employee may be paid cash equivalent of leave salary admissible in respect of the period of earned leave at his/her credit at the time of retirement on superannuation in one lump sum as a onetime settlement subject to a maximum of 300 days (excluding the number of days for which encashment has been allowed along with Leave Travel Concession while in service) and further subject to other conditions laid down by the government from time to time.

**31. Leave preparatory to retirement**

An employee may be permitted by the authority competent to grant leave to take leave preparatory to retirement to the extent of earned leave due, not exceeding 300 days together with half pay leave due, subject to the condition that such leave extends up to and includes the date of retirement.

**32. Persons re-employed after retirement**

In the case of a person re-employed after retirement, the provisions of these rules shall apply as if he had entered Institute service for the first time on the date of his re-employment.

**33. Power to relax**

Where the Board is satisfied that the operation of any of these rules causes undue hardship in any particular case, the Board may, for reasons to be recorded in writing, dispense with or relax the requirements of that rule to such extent and subject to such exceptions and conditions as it may consider necessary for dealing with the case in a just and equitable manner:

**34. Interpretation**

Wherever any conflict or doubt arises as to the interpretation of these rules, the Board's decision in such cases shall be considered as final and binding on all concerned.