**Leave Rules to Teachers of the University**

 **I**. **Leave Admissible to permanent teachers**:

 **a)** The Leave Rules as laid down by the University Grants Commission and approved by the State Government as per G.O.Ms.No.14 Higher Education (U.E.II) Department dated 20-2-2010 ( vide **Appendix-12**) shall apply to all the teachers of the University.

 **b) Teachers appointed on probation**

A teacher appointed as a probationer against a substantive vacancy and with definite terms of probation shall during the period of probation be granted leave which would be admissible to him if he held his post substantively otherwise than on probation. If for any reason it is proposed to terminate the services of a probationer, any leave granted to him shall not be extended beyond the date on which the probationary period expires or any earlier date on which his services are terminated by the orders of the Executive Council. On the other hand, a teacher appointed ‘on probation’ to a post, not substantively vacant, to assess his suitability to the post, shall until he is substantively confirmed, be treated as a temporary teacher for purposes of grant of leave. If a person in the permanent service of the University is appointed ‘on probation’ to a higher post he shall not, during probation, be deprived of the benefit of leave rules applicable to his permanent post.

 **C) Vacation**

 (i) Vacation may be taken in combination with any kind of leave except casual and special casual leave provided that vacation shall not be both prefixed and suffixed to leave.

 (ii) Except in special circumstances vacation and earned leave taken together shall not extend beyond SIX MONTHS.

 (iii) When a vacation falls between two periods of leave so as to result in a continuous period of absence from duty during the entire period, such vacation shall be treated as part of the leave.

 (iv) For the vacation period, a teacher shall be entitled to the same pay as when on duty. A teacher shall, however, be entitled only to half of such pay if he has given notice of resignation and the period of such notice expires during vacation or within one month from the last day thereof .

**II. GENERAL CONDITIONS**

 **(i) Leave – how earned :**

 Leave is earned by duty only. The period spent in foreign service counts as duty if leave salary and pensionary contribution, if any, are paid for such period.

 **(ii) Right to 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(s), if that authority considers such action to be in the interest of the University.

(b) No leave shall be granted to a teacher whom a competent authority has decided to dismiss, remove or compulsorily retire from service nor shall any leave be granted to a teacher when he is under suspension.

 **(iii) Maximum period of absence from duty on leave :**

 (a) No teacher shall be granted leave of any kind for a continuous period exceeding FIVE YEARS.

 (b) Where a teacher does not resume duty after remaining on leave for a continuous period of five 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 five years, he shall unless the Executive Council in view of the exceptional circumstances of the case otherwise determines, be removed from service after following the prescribed procedure.

 **(iv) Application for leave :**

 Leave shall 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 satisfactory reasons.

 **(v) 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 with the permission of the authority competent to sanction the leave. Vacation may be combined with leave subject to the provisions of rules 5, 8 and 15 above:

 **(vi) Rejoining of duty before the expiry of the leave :**

 (a) A teacher on leave may not return to duty before the expiry of the period of leave granted to him unless he is permitted to do so by the authority which sanctioned him the leave.

 (b) Notwithstanding anything contained in (a) above, a teacher on leave preparatory to retirement shall be precluded from withdrawing his request for permission to retire and from returning to duty, save with the consent of the Executive Council.

**(vii) Leave on medical grounds to be supported by medical certificate :**

 A teacher who applies for leave on medical grounds shall support his application with a medical certificate from an authorised Medical Officer of the University or where no such Medical Officer has been appointed, from a Registered Medical Practitioner. The authority competent to sanction leave may, however, require the applicant to appear before a Medical Board.

 Leave or extension of leave on medical certificate shall not be granted beyond the date on which a teacher is pronounced by a Medical Officer or Board to be permanently incapacitated for further Service.

* + 1. **Rejoining duty on return from leave on medical grounds :**

 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.

**(ix) Employment during leave :**

 A teacher on leave shall not, without the written permission of the University, 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; but 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.

 The leave salary of a teacher who is permitted to take up any employment during leave shall be subject to such restrictions as the Executive Council may prescribe.

**(x) Absence without leave or overstay of leave :**

 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. Willful absence from duty for a period exceeding one year shall attract the punishment of removal from service, and such punishment shall be imposed after giving him an opportunity to explain.

 **(xi) Leave beyond the date of retirement :**

 (a) No leave shall be granted beyond the date on which a teacher must compulsorily retire:

 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 Law, 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 the 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 as aforesaid, if in the opinion of the authority competent to order reinstatement, he has been fully exonerated and the suspension was wholly unjustified.

**(xii) Leave to a teacher whose services are no longer needed (terminal leave) :**

 (i) The earned leave to the extent due (but not exceeding 120 days) may be granted at the discretion of the Vice-Chancellor as terminal benefit to a teacher not employed on a contract basis whose services are terminated by the University on account of retrenchment or abolition of post before his attaining the age of superannuation, even if it has not been applied for and refused in the University interest. In cases where the teacher is relieved before the expiry of the notice period, such notice of the unexpired portion thereof should run concurrently with the leave granted.

 (ii) If a teacher resigns his post, he may not normally be granted either prior or subsequent to his resignation any leave. In cases, however, where the resignation is for reasons of health or for other reasons beyond his control, earned leave at his credit, but not exceeding 120 days, may be granted to him at the discretion of the Vice-Chancellor. In other cases of resignation, half the amount of earned leave at his credit but not exceeding 60 days may be allowed at the discretion of the Vice-Chancellor.

 In cases in which a prescribed period of notice is required to be given, the leave will be so granted as to cover as far as possible the period of notice required to be given.

 (iii) No terminal leave shall, however, be admissible in a case of dismissal or removal from service.

**(xiii) Conversion of one kind of leave to another :**

 (a) At the request of the teacher concerned, the University may convert retrospectively any kind of leave including extraordinary leave into a leave of different kind which was 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.

**(xiv) Increment during leave :**

 If increment of pay falls during any leave other than 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.

**(xv) Leave Year :**

 For the purpose of these rules, unless otherwise specified, the term ‘year’ shall mean an academic year.