

AMITY UNIVERSITY MADHYA PRADESH

LEAVE REGULATIONS

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LEAVE REGULATIONS FOR REGULAR EMPLOYEES.

1. SHORT TITLE AND COMMENCEMENT:

These Regulations shall be called 'LEAVE REGULATIONS FOR REGULAR EMPLOYEES', and shall come into force from the date of their notification.

2. APPLICABILITY

These Regulations shall apply to all Regular Employees of the University (Including its Campuses), other than the following:

- (2.1) Engaged on daily rates of wages:
- (2.2) Engaged as Apprentices/Trainees; and /or
- (2.3) Whose terms of appointment do not include the benefit of leave.

3. DEFINITIONS

- a. 'University' means Amity University Madhya Pradesh
- b. 'Competent Authority' means the Vice Chancellor or any other authority specifically empowered by him to sanction leave to the employees concerned.
- c. 'Year' means calendar year (1st January to 31st December).
- d. 'Month' means calendar month, provided that for reducing credit of Earned Leave or Sick Leave on account of Leave Without Pay (LWP) availed by an employee every month shall be deemed to have 30 days.

4. KINDS OF LEAVE ADMISSIBLE

- (4.1) Casual Leave
- (4.2) Earned leave
- (4.3) Sick leave
- (4.4) Duty Leave
- (4.5) Maternity Leave
- (4.6) Study Leave
- (4.7) Sabbatical Leave
- (4.8) Extraordinary Leave
- (4.9) Station Leave
- (4.10) Any other kind of leave, as approved by the Executive Council from time to time.

5. DISCRETION TO GRANT OR REVOKE LEAVE

Leave cannot be claimed as a matter of right. Discretion is reserved with the authority empowered to sanction leave, to refuse or revoke leave at any time according to the exigencies of the University's work.

6. GUIDELINES & PROCEDURE IN APPLYING FOR LEAVE

(6.1) Subject to the terms and conditions of appointment, employees will be eligible for leave in accordance with these Rules, as amended from time to time.

(6.2) An employee who desires to proceed on leave shall apply on the prescribed form (Annexure-I) to the authority competent to sanction leave *through proper channel*, and must not avail of the leave before it is sanctioned. The said authority shall issue orders on the application and where the leave is refused or postponed, the fact of such refusal or postponement shall be recorded in writing on the leave application.

(6.3) Leave applications will invariably be submitted to the sanctioning authority through the Reporting Officers as per the channel of submission given below:-

CATEGORY OF EMPLOYEE	CHANNEL OF SUBMISSION	SANCTIONING AUTHORITY	KINDS OF LEAVE
Heads of Institutions/ Independent/ Departments/Centres	Pro-Vice Chancellor (or equivalent)	Vice-Chancellor	All kinds of Leaves
Professors & Heads of Departments in Institutions	Head of Institution/ Department (or equivalent)	<ul style="list-style-type: none"> • Upto 5 days - Head of Institution/ Deptt. • More than 5 days – Vice-Chancellor through Pro-Vice-Chancellor (or equivalent) 	CL,SL, EL & Station leaves
Other teaching & non- teaching staff (except class IV/cleaners/casual staff)	Head of Institution/ Department (or equivalent) through the Supervisor/immediate reporting officer	Head of Institution/ Department with a copy to Dy. Pro Vice- Chancellor/Pro Vice- Chancellor (or equivalent) / Vice-Chancellor	CL,SL, EL & Station leaves
Class IV/Cleaners/ Casual staff	Head of Institution/ Department (or equivalent) through the Supervisor/immediate reporting officer	Head of Institution/ Department (or equivalent)	CL,SL, EL & Station leaves
Note: Application for any other kind of leave will be submitted to the Vice-Chancellor, through Pro Vice-Chancellor/Dy. Pro Vice-Chancellor (or equivalent)			

(6.4) In extraordinary cases where for reasons beyond his/her control, it is not possible to obtain prior sanction, the concerned employee will seek telephonic sanction of leave from the competent authority; and on resumption of duty, submit the application on the prescribed form within 24 hours. In case the application for post-facto sanction is not submitted and/or sanctioned, the salary for the leave period will be deducted even if the employee has sufficient leave balance in his/her credit.

- (6.5) If an employee after proceeding on leave, desires an extension thereof, he/she shall apply to the competent authority, who shall send or cause to be sent a reply either granting or refusing extension of leave to the employee concerned at his last known address. It will be the duty of the employee to obtain approval for extension of leave from the appropriate authority, otherwise he shall be deemed to be on unauthorized absence.
- (6.6) An employee desirous of spending a period of leave at a station other than his place of posting shall indicate the leave address and contact telephone/ mobile numbers on the leave application and also notify the University of any change thereafter as soon as it occurs.
- (6.7) Full and up-to-date complete record of all types of leave (showing calendar year-wise entitlement and leave availed) in respect of the employees, will be maintained as per Annexure-II in the respective Institutions/Departments and also by Head (HR/Admin) at the University's Headquarters office. However, such record in respect of Class-IV & Casual workers will also be maintained by Director-Administration and respective Administrative Officers.
- (6.8) The Office of Registrar/Director HR will send a consolidated half-yearly statement (in the prescribed format at Annexure-III) in respect of various kinds of leave availed by the employees and the balance at their credit as on 1st January and 1st July of the calendar year, to the RBEF Central Team, latest by 20th January and 20th July respectively.
- (6.9) If an employee remains absent beyond the period of leave originally granted or subsequently extended, he shall lose his lien on his appointment unless he (a) returns within ten days of the expiry of the leave, and (b) explains, to the satisfaction of the University, his inability to return on expiry of his leave. Consequently, when an employee loses his lien on his name may be struck off the rolls of the University.
- (6.10) If an employee remains absent beyond ten days continuously without prior permission, he shall be deemed to have voluntarily abandoned the University's service and the University will notify him accordingly at his last known address. Such unauthorized absence shall be deemed as abandonment of service by the employee and not as termination by the University; and the employee concerned will be liable to pay one month's salary in lieu of notice, which may be deducted from his/her salary or other dues.

7. CASUAL LEAVE (CL)

- (7.1) Every employee will be eligible for 12 days' CL in a calendar year. Accordingly, on completion of one month's service, one day's CL can be availed.
- (7.2) Maximum of three days' CL can be taken at a time, provided that the leave is due to the individual employee.
- (7.3) In respect of a new joiner who joins the service of the University, the CL entitlement during the first year of his/her employment, will be determined on the pro-rata basis of period of service rendered by him/her from the date of joining.

- (7.4) CL may be granted for the working days involved. Accordingly, any Saturday (where it is not a working day) / Sunday or any other weekly off day applicable to the employee concerned / University's holiday which intervenes, will not be counted towards leave.
- (7.5) CL may be taken in terms of ½ day, for the first or the second half of a day, the first half ending with the conclusion of the lunch Interval and the second half beginning with the commencement of the lunch interval..
- (7.6) CL will not be granted in combination with any other kind of leave with pay; provided that in a case involving the employee's sickness, when no other kind of leave is due, such combination may be permitted with approval of the competent authority.
- (7.7) Unavailed CL cannot be carried forward to the next calendar year. CL not availed upto 31st December will lapse.

8. EARNED LEAVE (EL)

- (8.1) "The EL entitlement in respect of **employees other than those who are allowed to avail of vacations**, will be 30 days in a year to be credited to the leave account on 1st January and 1st July @15 days for each half-year, subject to other conditions being fulfilled."

In case at any time in future, the management decides to allow vacations, the enabling provision to curtail EL entitlement of such staff-members will be included in the EL Rules as follows:-

"Admissibility of Earned Leave to the Faculty and other staff members (who are allowed to avail of vacations) will be as follows:

- (a) 1/30th of actual service including vacation;plus
 - (b) 1/3rd of the period, if any, during which he/she is required to perform duty during vacation.
 - (c) For computation of period of actual service **for this purpose**, all periods of leave, except casual leave, duty leave and the period spent on various assignment allocated by the University, shall be excluded."
- (8.2) EL can be availed on full pay and allowances only after the employee has completed 180 days' actual service from the date of his joining. Any leave availed other than the entitlement of CL before completion of 180 days will be sanctioned as 'leave without pay'.
 - (8.3) For the purpose of computation of period of actual service, all periods of leave with pay, including Casual Leave as also Duty Leave and the period spent on various assignment allocated by the University should be included for the purpose of calculation of EL entitlement. The exclusion should be for the period of unauthorized absence and leave without pay for any reason whatsoever.
 - (8.4) Employees will be entitled to accumulate EL to a maximum of 180 days. The unavailed portion of EL will be allowed to be carried forward, subject to the condition that at the time of cessation of service encashment of EL will be

restricted @15 days per year of service (**minus** the period of Leave Without Pay, or unauthorized absence, if any), or the un-availed EL at credit of the employee concerned, whichever is less.

- (8.5) EL will not normally be granted for more than 30 days in one spell and not more than five times in a year. EL exceeding 30 days may, however, be sanctioned in the case of higher study, or training, or leave with medical certificate, or when the entire leave, or portion thereof, is spent outside India.
- (8.6) EL can be taken in combination with any other kind of leave, except CL, provided that in a case involving the employee's sickness, when no other kind of leave is due, its combination with CL may be permitted by the competent authority.
- (8.7) EL will be granted for the calendar days involved, and any Intervening Saturday (where it is not a working day) / Sunday or any other weekly off day applicable to the employee concerned / University's holiday or restricted holiday will be counted towards leave. However, pre-fixing and suffixing of such non-working days to EL would be permissible.
- (8.8) Pay during EL will be equal to pay drawn immediately before proceeding on Leave.

9. SICK LEAVE (SL)

- (9.1) SL is the leave that an employee avails when he/she is absent due to illness.
- (9.2) SL can be availed only after completing at least one year actual service from the date of joining, excluding any period of LWP availed of by the employee concerned.
- (9.3) An employee will be entitled to 10 days' SL in a year to be credited to the leave account on 1st January and 1st July @ 5 days for each half-year.
- (9.4) SL not availed during the calendar year cannot be carry forward or encashed. At the end of calendar year any available SL will lapse automatically.
- (9.5) SL may be taken in terms of ½ day, for the first or the second half of day the first half ending with the conclusion of the lunch interval and the second half beginning with the commencement of the lunch interval.
- (9.6) SL application for more than 3 days in one spell, or for EL due to reason of sickness for more than 3 days in one spell, will be accompanied by a medical certificate from a registered medical practitioner, any fee payable for the medical certificate being borne by the employee concerned.
- (9.7) SL can be taken in combination with any other kind of leave, except CL. Provided that in a case involving the employee's sickness, when no other kind of leave with pay is due, its combination with CL may be permitted by the competent authority.
- (9.8) Pay during SL will be equal to the pay drawn immediately before proceeding on Leave.

- (9.9) On return from SL (leave on medical grounds) if an employee is not found medically (physically and mentally) fit, then he/she may not be allowed to resume duty until complete recovery from sickness and on production of certificate of fitness from a certified medical practitioner acceptable to the University.

10. GENERAL CONDITIONS FOR EL AND SL

- (10.1) An employee, who is appointed in the middle of a year, will be eligible for EL and SL for the completed calendar months of service he/she renders upto 31 December of that year, any broken month's service being ignored. Entitlement of leave will be pro-rated on the basis of the applicable rate and credited to the leave account accordingly.
- (10.2) An employee whose appointment is terminated in the middle of an year will be eligible for EL and SL for the completed calendar months of service he has rendered in that year, any broken month's service being Ignored. Entitlement of leave will be pro-rated on the basis of the applicable rate and necessary adjustment carried out in the leave account on the date of termination.
- (10.3) Credit of EL or SL will not be admissible for the period of LWP. For this purpose, the total period of LWP availed of during the year will be divided by 30 to arrive at completed months; and any fraction of LWP upto 15 days will be ignored but a fraction of 16 days and above will be treated as a completed month. The employee's CL account may also be debited on this basis (i.e. pro-rated deduction of CL on account of LWP availed may be effected).
- (10.4) For the purpose of affording credit of EL and SL, fraction of a day will be rounded off to the nearest day, i.e. $\frac{1}{2}$ or above will be taken as 1 day and fractions below $\frac{1}{2}$ will be ignored.
- (10.5) Any Holiday, Saturday and Sunday falling between EL or SL will be treated as part of EL or SL.
- (10.6) Any LWP sanctioned for more than 15 days in a year shall not be reckoned for the purpose of calculation of EL and SL credit.

11. DUTY LEAVE

- (11.1) Duty Leave upto 15 working days in a year may be allowed for:
- a. Attending conferences, congresses, symposia and seminars on behalf of the university or with the permission of the university.
 - b. Delivering lectures in institutions / universities at the invitation of such institutions / universities received by the University, and accepted by the Vice Chancellor;
 - c. Participating in a delegation or working on a committee appointed by the Government of India, State Government, the University Grants Commission, a sister university or any other academic body; and
 - d. Attending official meetings or conferences to which an individual has been nominated by the University.

- e. For performing any other duty for the University as authorized.
- (11.2) Duty leave may be combined with EL, SL or Extraordinary Leave.

12. MATERNITY LEAVE

- (12.1) Confirmed female employees will be eligible for grant of Maternity leave.
- (12.2) Maternity Leave on full pay would be admissible to female employees for a period not exceeding 90 (ninety) days from the date of its commencement, on production of requisite medical certificate. Such leave would, however, be admissible on not more than two occasions in the entire service, provided the number of surviving children does not exceed two.
- (12.3) Maternity benefit is not entitled to a female employee unless she has actually worked for a period of not less than 80 (eighty) day in the immediately preceding twelve months period.
- (12.4) The date of absence from work should not be a date earlier than 45 days from the date of her expected delivery.
- (12.5) Maternity Leave may also be granted in case of miscarriage including abortion, subject to the condition that the total leave granted in this respect to a female employee in her career will not be more than 45 days. And the application for leave is supported by a medical certificate.
- (12.6) Maternity Leave may be combined with any other kind of leave except CL, if the request is supported by a medical certificate.
- (12.7) During the period of such leave, the leave salary will be equal to the salary drawn immediately before proceeding on maternity leave.
- (12.8) The eligible female employee shall apply on the prescribed form (Annexure-IV) for grant of maternity leave enclosing therewith the requisite medical certificate; and also give an undertaking that she will not work in any establishment during the period in which she receives maternity benefits. In case the female employee works in any establishment after she has been granted Maternity Leave for any period, she shall forfeit her claim to the maternity benefit.
- (12.9) If the employee is entitled to benefits under the ESI Act, the leave salary will be reduced by the amount payable under the ESI Act.

13. STUDY LEAVE

- (13.1) Study leave shall not be granted to a teacher who is due to retire within 3 years of the date on which he/she is expected to return after the expiry of the study leave.
- (13.2) Study leave without pay may be granted to an Asstt. Professor / Asstt. Librarian / Asstt. Director of Physical Education-and Sports after a minimum of two years continuous service in the University, to pursue a special line of study or research directly related to his/her work In the University organization and methods of education, subject to the conditions that:
 - i. the subject has relevance to the sphere of duties of the employee concerned;

- ii. the proposed course of study / training would be of distinct advantage from the point of view of the University's interest and would significantly enhance the employee's efficiency and
 - iii. the exigencies of the University's work permit release of the employee for the period involved.
- (13.3) The total period of study leave will not normally exceed three years in one spell. However, in the first instance it may be sanctioned for two years, and may be further extended upto one more year, if there is adequate progress as reported by the Research Guide, etc. Care should be taken that the number of teachers given Study Leave does not exceed the stipulated percentage of teachers in any department. Provided that the competent authority may, in special circumstance of a case, waive off the condition of three years' continuous service.
- (13.4) Study leave may be granted not more than twice during the employee's career. However, the maximum period of study leave admissible during the entire service shall not exceed five years.
- (13.5) A teacher availing himself / herself of Study Leave shall undertake that he/she shall serve that University for a continuous period of at least two years to be calculated from the date his/her resuming duty after expiry of the Study Leave.
- (13.6) After the leave has been sanctioned, the teacher shall, before availing himself/herself of the leave, execute a bond in favour of the university, binding himself/herself in the form of affidavit on stamp paper of proper value. A teacher availing himself/herself of Study leave shall undertake that he/she shall serve the University for a continuous period of at least two years to be calculated from the date of his/her resuming duty after the expiry of the Study leave. If an employee fails to qualify in the program for which Study Leave was taken, he/she will be required to pay to the University the financial assistance given to him, if any and salary of the period not completed

14. SABBATICAL LEAVE

- (14.1) Confirmed teaching staff of the University, who have completed minimum seven years of service as Associate Professor/Professor, may be granted Sabbatical Leave without pay to undertake study or research or, other academic pursuit solely with the object of increasing their proficiency and usefulness to the University and higher education system.
- (14.2) The duration of leave shall not exceed one year at a time, subject to a maximum of two years in the entire career of teacher.
- (14.3) A teacher who has availed himself/herself of Study Leave, would not be entitled to the Sabbatical Leave.
- (14.4) Provided, further, that subsequent sabbatical leave shall not be granted until after the expiry of five years from the date of the teacher's return from previous sabbatical Leave or any other kind of training programme.

15. EXTRAORDINARY LEAVE

- (15.1) Extraordinary leave shall always be without pay and allowances.
- (15.2) Extraordinary Leave will not be granted if any kind of leave with pay admissible for the purpose is due to the employee.
- (15.3) Extraordinary Leave on any occasion will not normally be granted for more than two months. The competent authority may, at its sole discretion, grant such leave for a period exceeding two months to an employee suffering from a protracted illness.
- (15.4) Where Extraordinary Leave precedes and/or follows Saturday (where it is not working day) / Sunday or any other off-day applicable to the employee concerned, then such Saturday / Sunday / Holiday, etc. will be treated as part of Extraordinary Leave.
- (15.5) Extraordinary Leave will not count towards service qualifying for increment if the total period of such leave availed of during the period between the date of appointment / promotion / last increment and the normal date of annual Increment under consideration, exceeds 90 days. In other words, in a case involving Extraordinary Leave exceeding 90 days, for the purpose of determining the effective date of increment, the period of Extraordinary Leave will be added to the normal date of Increment. Subsequent annual increments(s) would be determined with reference to such deferred date.
- (15.6) Requests for grant of Extraordinary Leave on medical grounds will be supported by a Medical Certificate from the attending Doctor, any fee payable for the Medical Certificate being borne by the employee concerned.

16. PROCEEDING OUT OF STATION DURING LEAVE

Permission of the leave sanctioning Authority will be taken when the employee availing leave wants to go out of station during holidays / weekends. In such cases, the concerned employee will also inform Phone no. and address for contact in emergency.

17. ATTENDANCE

- (17.1) Every member is required:
 - a. To attend office in time;
 - b. To strictly observe the prescribed lunch time and not to overstay.
 - c. Not to leave office before the office time
- (17.2) All employees shall use the Biometric attendance system to record their attendance both at the time of arrival and departure. An employee who fails to attend office at the scheduled time is late. However, late coming upto ten minutes of the scheduled time may be permitted by the concerned HOD.
- (17.3) When an employee attends office late or leaves office early and the late attendance or early leaving, as the case may be, is not condoned / permitted by the leave sanctioning authority as may be specified in this behalf, for each such occasion of late attendance or early leaving, ½ day's Casual Leave may be debited to the employee's leave account. However, late attendance up to one

hour for not more than two occasions in a month can be condoned by the leave sanctioning authority on request of employee, if convinced that it is due to unavoidable reasons.

18. ENCASHMENT OF EARNED LEAVE

- (18.1) Encashment is not permissible for any kind of leave, except EL.
- (18.2) During service no encashment of EL will be permissible. In other words, encashment of EL will be permissible only at the time of cessation of the University's service, subject to other conditions being fulfilled.
- (18.3) EL due to regular employee (who is not on probation) in cases of termination of employment may be allowed to be encashed. In the case of termination as a disciplinary measure, the authority imposing the penalty shall pass orders as to whether such encashment may be allowed.
- (18.4) In the case of death of an employee while in the service of the University, the nominee, or the next kin of the deceased employee may be allowed the benefit of encashment of EL that may be admissible to the deceased employee immediately before his death, subject to a maximum of 180 days.
- (18.5) When encashment of Earned Leave is allowed to an employee, salary payable for the period of leave encashed will be computed as under:

- a. In the case of employee placed in UGC / Govt. scales of pay (5th CPC Scales)

$$\text{EL Encashment value} = \frac{\text{Basic Pay} + \text{DP}}{30} \times \text{No. of days of EL encashed}$$

(DP = 50% of BP)

- b. In the case of employee placed in UGC / Govt. scales of pay (6th CPC Scales)

$$\text{EL Encashment value} = \frac{\text{Pay Band} + \text{Grade Pay}}{30} \times \text{No. of days of EL encashed}$$

- c. In the case of employee drawing consolidated / gross salary

$$\text{EL Encashment value} = \frac{60\% \text{ of Gross Salary}^*}{30} \times \text{No. of days of EL encashed}$$

*EXPLANATION: For calculation of the gross salary to be reckoned for the purpose of EL encashment, the reimbursement of expenses towards Transport / Conveyance, Driver's salary, HRA/ House Subsidy, Petrol expenses//subsidy, telephone/mobile expense, Children Education Allowance or Hostel Subsidy and other allowances e.g. special allowance, loyalty allowance, proctor allowance, programme coordinator allowance / programme leadership allowance / placement allowance, -- etc., will not be taken into account.

- (18.6) Where EL is allowed to be encashed on termination of employment, any amount recoverable from the employee, including salary towards shortfall in the period of notice of termination, may be adjusted from the salary payable for the period of EL encashed.

19. RESIDUAL PROVISION

- (19.1) The University may at its discretion sanction leave on full pay to an employee who has no leave to his credit at the time of sanction of leave, if it is satisfied that the employee would continue In the service of the University; and such leave shall be adjusted against the future accrual of leave to him/her in due course of time.
- (19.2) The University may, at its discretion, allow relaxation of any of these rules in deserving cases.