

THE KHYBER MEDICAL UNIVERSITY LEAVE RULES, 2017



KHYBER MEDICAL UNIVERSITY EMPLOYEES LEAVE RULES 2017

In pursuance of Section-31, subsection (1) & (2) of Khyber Pakhtunkhwa Universities (Amendment) Act, 2016, the KMU Syndicate approved the following KMU Employees Leave Rules:

1. Short title, commencement and application: These rules may be called the Khyber Medical University Employees Leave Rules, 2017 and shall come into force at once.

2. Admissibility of Leave to University Employees: Leave shall be applied for, expressed and sanctioned in terms of days and shall be admissible to a university employee at the following rate and scale:

(a) A university employee shall earn leave only on full pay. It shall be calculated at the rate of four days for every calendar months of the period of duty rendered and credited to the leave account as “leave on full pay” duty period of 15 days or less in a calendar month being ignored and those of more than 15 days being treated as a full calendar month, for the purpose. If a University Employee proceeds on leave during a calendar month and returns from it during another calendar month and the period of duty in either month is more than 15 days, the leave to be credited for both the incomplete months will be restricted to that admissible for one full calendar month only.

(b) The provisions of clause (a) will not apply to vacation departments. A University Employee of a vacation department may earn leave on full pay as under:

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| (a) When he avails himself of vacation in a calendar year | At the rate of one day for every calendar month of duty rendered; |
| (b) When during any year he is prevented from availing himself of the full vacation | As for a University Employee in non- vacation Department for that year; and |
| (c) When he avails himself of only a part of the vacation | As in (a) above plus such proportion of thirty days as the number of days of vacation not taken bears to the full vacation. |

(c) There shall be no maximum limit on the accumulation of such leave.

3. When Leave Earned

(a) All service rendered by a university employee qualifies him to Earned Leave in accordance with these rules but shall not be earned during the period of leave.

(b) Any period spent by a university employee in Provincial / Federal Service qualifies him to earn leave provided that a contribution towards leave salary is paid to the university on account of such a period.

4. Leave on Medical Certificate

(a) Leave applied for on medical grounds shall not be refused, provided that;

(i) General Medical Practitioner can recommend leave upto 03 days.

(ii) Medical Specialist /Consultant can recommend leave upto 02 weeks.

(iii) Leave beyond 02 weeks, may be recommended by Medical Specialist/Consultant and countersigned by the Medical Superintendent/Deputy Medical Superintendent/Administrator of the concerned Hospital/facility.

- (b) The authority competent to sanction leave may, however, at his/her discretion, secure a second medical opinion by requesting the Authorized Medical Specialist or the Medical Board to be approved by Vice Chancellor to have the applicant medically examined.

5. Maternity Leave

- (a) Maternity leave may be granted on full pay, outside the leave account, to a female University Employee to the extent of ninety days from the date of its commencement or forty five days from the date of her confinement, whichever be earlier.
- (b) Such leave may not be granted for more than three times in the entire service of a female University Employee except in the case of a female University Employee employed in a vacation department who may be granted maternity leave without this restriction.
- (c) For confinement beyond the third one, the female University Employee would have to take leave from her normal leave account.
- (d) The spells of maternity leave availed prior to the coming into force of these rules shall be deemed to have been taken under these rules.
- (e) Maternity leave may be granted in continuation of or in combination with, any other kind of leave including extraordinary leave as may be due and admissible to a female University Employee.
- (f) Leave salary to be paid during maternity leave shall be regulated as for other leave, in accordance with the formula provided in rule 17.
- (g) The leave salary to be paid during maternity leave will, therefore, remain unaffected even if any increment accrues during such leave and the effect of such an increment will be given after the expiry of maternity leave.

6. Special Leave to Female University Employee: A female University Employee may, on the death of her husband, be granted Special Leave on full pay not exceeding 130 days. This leave shall not be debited to her leave account and will commence from the date of death of her husband. For this purpose she will have to produce death certificate either along with her application for Special Leave or if that is not possible, the said certificate may be furnished to the leave sanctioning authority separately.

7. Disability Leave

- (a) Disability Leave may be granted outside leave account on each occasion up to a maximum of seven hundred and twenty days on such medical advice as the head of office may consider necessary, to a university employee, other than university employee in part time service, disabled by injury, ailment or disease contracted in course or in consequence of duty or official position.
- (b) The leave salary during disability leave shall be equal to full pay for the first one hundred and eighty days and on half pay for the remaining period.

8. Extraordinary Leave (Leave without Pay):

- (a) Extraordinary leave may be granted on any ground up to a maximum period of five years at a time.

Provided that the university employee to whom such leave is granted has been in continuous service for a period of not less than ten years. In case a University Employee has not completed ten years of continuous service, extraordinary leave without pay for a maximum period of two years may be granted at the discretion of the leave sanctioning authority.

- (b) The maximum period of extraordinary leave without pay combined with leave on full pay and leave on half pay shall be subject to the limit of 5 years, (i.e. the maximum period of extraordinary leave without pay that would be admissible to a university employee who has rendered continuous service for a period of not less than 10 years shall be 5 years less the period of leave on full pay and leave on half pay so combined).
- (c) Extraordinary Leave may be granted retrospectively in lieu of absence without leave.
- (d) Extraordinary Leave shall not be converted into any other kind of leave, retrospectively.

9. Recreation Leave: - Recreation leave shall compulsorily be granted for twelve days once in a calendar year.

Provided that such leave shall not be admissible to a University Employee in a vacation department.

10. Leave Ex-Pakistan: -

- (a) Leave Ex-Pakistan may be granted on full pay to a University Employee who applied for such leave or who proceeds abroad during leave, or takes leave while posted abroad or is otherwise on duty abroad and makes a specific request to that effect.
- (b) Leave Ex-Pakistan will be regulated and be subject to the same limits and conditions as prescribed in rule 8, 18 and 19.
- (c) If leave Ex-Pakistan has been sanctioned on medical grounds, the University Employee shall take abroad with him copy of the medical statement of his case.

11. Leave Not Due:

- (a) Leave Not Due may be granted on full pay, to be offset against leave to be earned in future, for a maximum period of three hundred and sixty five days in the entire period of service, subject to the condition that during the first five years of service it shall not exceed ninety days in all.
- (b) Such leave may be converted into leave on half pay.
- (c) Such leave shall be granted only when there are reasonable chances of the university employee resuming duty on the expiry of the leave.

12. Leave Preparatory to Retirement: - The maximum period up to which a University Employee may be granted Leave Preparatory to Retirement shall be 365 days only. It may be taken subject to availability in the leave account, either on full pay or partly on full pay and partly on half pay, or entirely on half pay at the discretion of the university employee and it will not extend beyond the age of superannuation.

13. Encashment of Leave Preparatory to Retirement:

- (a) Where a university employee opts not to avail the Leave Preparatory to Retirement admissible to him under Rule 12, he shall be allowed leave salary for the period for which leave preparatory to retirement is admissible, subject to a maximum of 365 days. For the purpose of lump sum payment in lieu of leave preparatory to retirement only the Senior Post Allowance will be included in the leave pay so admissible. The payment of leave pay in lieu of Leave Preparatory to Retirement may be made to the university employee either in lump sum at the time of retirement or may at his option, be drawn by him month wise, in arrears, for and during the period of Leave Preparatory to Retirement.
- (b) Encashment of Leave Preparatory to Retirement (LPR) not exceeding three hundred and sixty five days shall be effective from the 1st day of July, 2012 and shall for the entire period of leave refused or opted for encashment, be applicable to a university employee retired, as the case may be retiring on or after the 1st Day of July, 2012, provided that such leave is available at his/her credit to a maximum of three hundred and sixty five days.
- (c) If any time, during such period leave is granted on account of ill health supported by medical certificate or for performance of Hajj/Umra, the amount of cash compensation on account of leave pay shall be reduced by an amount equal to the leave pay for the period of leave so granted.
- (d) leave pay for the purpose of encashment of LPR shall be computed on the basis of pay and allowances reckonable towards pension as shown in the last pay certificate of the university employee.
- (e) Unless a university employee opts to proceed on LPR or submits an application for LPR, he/she may be deemed to have opted for Encashment of LPR according to the rules.
- (f) On receipt of a request from university employee deemed to have opted for encashment of LPR, the authority competent to sanction LPR will issue formal sanction for the payment of cash compensation.

14. In-Service Death, etc:

- (a) In case a university employee dies, or is declared permanently incapacitated for further service by a Medical Board, while in service, a lump sum payment equal to leave pay up to one hundred and eighty days, approved by Vice Chancellor, shall be made to his family as defined for the purposes of family pension or, as the case may be, to the university employee.
- (b) For the purpose of lump sum payment under sub rule (a), only the “Senior Post Allowance” will be included in the “leave pay” so admissible.

15. Casual Leave

- (a) All employees of the university shall be entitled to casual leave for 25 days in a calendar year. Period spent on any sort of leave or vacations (other than casual leave) shall not be treated as the period of duty rendered. Casual leave may not be granted for more than 10 days at a time. This rule may be relaxed at the discretion of the Sanctioning Authority. It shall not be credited to the leave account of the employee. Any balance not availed shall lapse with the end of the year.

- (b) If any employee avails casual leave, for more than 25 days, then the balance shall be adjusted against his Earned Leave account.
- (c) Head of the Department shall maintain record of the same and shall submit the same to the office of the Registrar at the end of each month for centralized up-keeping of the record.

16. Short Leave: In case of emergency, Short Leave may be granted to the employees. The duration of short leave may not exceed 2 ½ Hours. However, upon availing 03 Short Leaves, One day Casual Leave shall be debited from Casual Leave account.

17. Leave Salary:

- (a) Leave pay admissible during leave on full pay shall be the greater of
 - (i) the average monthly pay earned during the twelve complete months immediately preceding the month in which the leave begins; and
 - (ii) the rate equal to the rate of pay drawn on the day immediately before the beginning of the leave.
- (b) When leave on half pay is taken, the amount calculated under clause (i) and (ii) of sub-rule (a) shall be halved to determine the greater of the two rates.

Provided that a university employee shall be entitled to the leave pay at the revised rate of pay if a general revision in pay of University Employees takes place or an annual increment occurs during the period of leave of the University Employee.”

18. Grant of Leave on Full Pay

- (a) The maximum period of leave on full pay that may be granted at one time by the competent authority shall be as follows:

(i) Without medical certificate	120 days
(ii) With medical certificate	upto 365 days
(iii) With medical certificate	365 days in entire service.
- (b) Time maxima prescribed at (i) and (ii) of sub-rule (a) are independent of each other. In other words a University Employee may be granted, at a time, total leave on full pay on medical certificate up to the permissible extent (iii) continuation of leave up to 120 days without medical certificate, subject to given conditions.

19. Grant of Leave on Half Pay:

- (a) Leave on full pay may be converted into leave on half pay at the option of the university employee and debit to the leave account will be at the rate of one day of the former for every two days of the latter, fraction of one-half counting as one full day leave on full pay.
- (b) The request for such conversion shall be specified by the university employee in his application for the grant of leave.
- (c) There shall be no limit on the grant of leave on half pay so long as it is available by conversion in the leave account.

20. Conversion of Leave Account:

- (a) All leave on the credit in the account of a university employee who was in service before joining this university on regular basis, shall be carried forward and expressed in terms of leave on full pay. The leave account in such cases shall, with effect from joining this university on regular basis or in the case of a university employee who was on leave on that date with effect from the date of his return from leave, be recast as under, ignoring the fraction if any;
 - (i) Leave on full pay;
 - (a) 1 month 30 days
 - (b) 1 day 1 day
 - (ii) Leave on half pay;
 - (a) 1 month 15 days
 - (b) 2 days 1 day
- (b) In carrying forward the leave, the leave at credit of a university employee, his credit of the existing leave account shall be carried forward to the new leave account of the university employee.
- (c) The leave availed under the existing rules, from the leave account shall be debited against the maximum limit of 365 days fixed under rule 18(a)(iii).

21. Absence after the expiry of leave: Unless his/her leave is extended by the Leave Sanctioning Authority, a university employee who remains absent (except for circumstances beyond his control) after the end of his/her leave shall not be entitled to any remuneration for the period of such absence and double period of such absence shall be debited against his leave account. Such debit shall if there is insufficient credit in the leave account, be adjusted against future accumulations. Such double debit shall not preclude any disciplinary action that may be considered necessary under any rule for the time being in force. After affording a reasonable opportunity to the university employee concerned to indicate his position.

22. Recall from Leave: If a university employee is recalled to duty compulsorily with the approval of the Leave Sanctioning Authority, from leave of any kind, which he/she is spending away from his/her headquarters, he/she may be granted single return fare plus daily allowance as admissible on tour from the station where he/she is spending his/her leave to the place where he/she is required to report for duty. In case he/she is recalled to duty at headquarters and his/her remaining leave is cancelled, the fare then admissible shall be for one way journey only. If the order of recall to the University Employee is optional then the concession above mentioned will not be admissible.

23. Assigning reasons for leave: It shall not be necessary to specify the reasons for which leave has been applied, so long as that leave is due and admissible to a university employee.

24. Commencement and end of leave: Instead of indicating whether leave starts/ends in the forenoon or afternoon, leave shall commence from the day following that on which a university employee hands over the charge of his post. It shall end on the day preceding that on which he resumes duty.

- 25. Any type of leave may be applied:** A university employee may apply for the type of leave which is due and admissible to him and it shall not be refused on the ground that another type of leave should be taken in the particular circumstances for example, a University Employee may apply for extraordinary leave or leave on half pay even if leave on full pay is otherwise due and admissible to him, or he may proceed on Extraordinary Leave followed by leave on half pay and full pay rather than on full pay, half pay and without pay
- 26. Combination of different types of leave:** One type of leave may be combined with joining time or with any other type of leave otherwise admissible to the University Employee:
- Provided that leave preparatory to retirement shall not be combined with any other kind of leave.
- 27. University Employees on leave not to join duty without permission before its expiry:** Unless he/she is permitted to do so by the authority which sanctioned his leave, a university employee on leave may not return to duty before the expiry of the period of leave granted to him/her.
- 28. Manner of handing over charge except casual leave when proceeding on leave, etc:**
- A university employee proceeding on leave shall hand over the charge of his/her post, and if he/she is in Grade-16 and above, he/she shall, while handing over charge of time post, sign the Charge Relinquishment Report.
- 29. Assumption of charge on return from leave**
- (a) A university employee, on return from leave, shall report for duty to the authority that sanctioned his/her leave and assume charge of the post of which he/she is directed by that authority unless such direction has been given to him/her in advance.
- (b) In case he/she is directed to take charge of a post at a station other than that from where he/she proceeded on leave, travel expenses as on transfer shall be payable to him/her.
- 30. Registrar Office to Maintain Leave Account**
- (a) Leave account in respect of a University Employee shall be maintained as part of his Service Book.
- (b) The Registrar Office shall maintain the leave accounts of university employees of whom they were maintaining the accounts immediately before the coming into force of these rules.
- 31. Leave to lapse when University Employee Quits Service:** All leave at the credit of a University employee shall lapse when he/she quits service.
- 32. Leave Application and its Sanction**
- (a) Except where otherwise stated, an application for leave or for an extension of leave must be made to the Head of the Institute/Department/Office, where a university employee is posted and, in the case of the Head of Institute/Department/Office to the next-above administrative authority and the extent of leave due and admissible shall be stated in the application.

- (b) When a university employee submits a medical certificate for the grant of leave, it shall be recommended/signed by the concerned Specialist/Consultant.
- (c) Holidays falling within the period of any kind of leave shall be counted as leave.
- (d) No leave shall be availed unless it is actually granted, except applied for under emergent circumstances is so proved to the satisfaction of the Sanctioning Authority.
- (e) It shall be the duty of the applicant to make sure that before departure, the leave applied for, has actually been sanctioned. While proceeding on leave, he/she shall hand over the charge of his/her post. A report to the effect shall be sent through his/her Head of the Section/Department/ Institute/College. It shall also be the duty of employee to leave behind all papers, cash and keys in his/her custody in the manner as determined by his/her immediate officer. An employee on return from leave shall report for duty to the authority, which sanctioned his/her leave.
- (g) Leave must be applied for on the prescribed form stating the kind of leave required. In addition, Medical Certificate will be submitted, in case leave on medical ground is required. Application shall be submitted sufficiently in advance from the preferable date from which leave is sought to be availed.
- (h) Application for earned leave shall be submitted through the concerned Head of the Institute/Department/Office, who shall recommend the same or otherwise to the office of the Registrar. The arrangement for the substitute shall preferably be communicated if the leave is applied for more than a week.
- (i) In cases where all the applications for leave cannot, in the interest of public service, be sanctioned to run simultaneously, the authority competent to sanction leave shall, in deciding the priority of the applications consider:
 - (i) Whether, and how many applicants can, for the time being, best be spared;
 - (ii) Whether any applicant was last recalled compulsorily from leave; and
 - (iii) Whether any applicant was required to make adjustment in the timing of their leave on the last occasion.

33. Competent Authority:

- (a) The Vice Chancellor shall be competent to sanction all kinds of leave other than Study Leave, to the employees of the University, on recommendations of the Head of the Institute/Department/Office
- (b) Head of the Constituent Institute/Administrative Section, shall be empowered to grant casual leave to employees working in their relevant Institutes/Sections. However, all Heads of the Constituent Institutes shall submit a comprehensive report of the leave availed by the staff/faculty to the office of the Registrar on monthly basis for record and necessary action.
- (c) Casual Leave in respect of all Heads of the Institutes/Sections/Departments shall be sanctioned by the Vice Chancellor. The record of the same shall be maintained by the Registrar Office.

