

## KHYBER MEDICAL UNIVERSITY EMPLOYEES LEAVE RULES 2008

1. Short title, commencement and application: - (1) These rules may be called the Khyber Medical University Employees Leave Rules, 2008.
- (2) They shall come into force at once.
2. Admissibility of Leave to University Employee: - 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: -
  - (i) 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.
  - (ii) The provisions of clause (i) will not apply to vacation departments. A University Employee of a vacation department may earn leave on full pay as under;
 

(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.
  - (iii) 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 period.
4. Grant of Leave on Full Pay: - (1) 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 ..... 180 days PLUS

- (iii) On medical certificate from leave 365 days account in entire service.
- (2) Time maxima prescribed at (i) and (ii) of sub-rule (1) 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.
- 5. Grant of Leave on Half Pay: - (1) Leave on full pay may be converted into leave on half pay at the option of the University Employee.
  - (2) Debits 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's leave on full pay.
  - (3) The request for such conversion shall be specified by the University Employee in his application for the grant of leave.
  - (4) 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.
- 6. Conversion of Leave Account: - (1) All leave at credit in the account of a University Employee who was in service on the 13<sup>th</sup> day of January 2007, shall be carried forward and expressed in terms of leave on full pay. The leave account in such cases shall, with effect from 13<sup>th</sup> January 2008 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
- (2) In carrying forward the leave, the leave at credit of a University Employee in columns 7 and 8 and half of the leave at credit in column 9 of the existing leave account shall be carried forward to the new leave account of the University Employee.
- (3) The leave availed under the existing rules from column 13. (a) of the leave account shall be debited against the maximum limit of 365 days fixed under rule 4 (1) (iii).
- 7. Sabbatical leave: - (1) Sabbatical leave 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.
  - (2) Such leave may be converted into leave on half pay.
  - (3) Such leave shall be granted only when there are reasonable chances of the University Employee resuming duty on the expiry of the leave.
  - (4) Such leave shall be granted sparingly and to the satisfaction of the sanctioning authority but it shall not be admissible to the temporary University Employees.
- 8. Leave Salary: - (1) Leave pay admissible during leave on full pay shall be the greater of—

- (a) the average monthly pay earned during the twelve complete months immediately preceding the month in which the leave begins; and
  - (b) the rate equal to the rate of pay drawn on the day immediately before the beginning of the leave.
- (2) When leave on half pay is taken, the amount calculated under clause (a) and (b) of sub-rule (1) 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."
- 9. 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 issued by competent authority 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.
- 10. Maternity Leave: - (1) Maternity leave may be granted on full pay, outside the leave account, to a female University Employee to the extent of ninety days in all from the date of its commencement or forty five days from the date of her confinement, whichever be earlier.
  - (2) 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.
  - (3) For confinement beyond the third one, the female University Employee would have to take leave from her normal leave account.
  - (4) The spells of maternity leave availed of prior to the coming into force of these rules shall be deemed to have been taken under these rules.
  - (5) 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.
  - (6) Leave salary to be paid during maternity leave shall be regulated as for other leave, in accordance with the formula provided in rule 8.
  - (7) 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.
- 11. Disability Leave: - (1) 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.
  - (2) 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.

12. Extraordinary Leave (Leave without Pay) : - (1) 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. This leave can be granted irrespective of the fact whether a University Employee is a permanent or temporary employee.
- (2) 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.
- (3) Extraordinary leave may be granted retrospectively in lieu of absence without leave.
13. Leave on Medical Certificate: - Leave applied for on medical certificate shall not be refused. The authority competent to sanction leave may, however, at its discretion, secure a second medical opinion by requesting the Civil Surgeon or the Medical Board to have the applicant medically examined. The existing provisions contained in Supplementary Rules 212, 213 and Rule 220 to 231 for the grant of leave on medical grounds will continue to apply.
14. 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.
15. Recreation Leave: - Recreation leave may be granted for fifteen days once in a calendar year, the debit to the leave account may, however, be for ten days leave on full pay:
- Provided that such leave shall not be admissible to a University Employee in a vacation department.
- Note: Casual Leave (as Recreation Leave) shall, however, continue to be granted for 10 days only subject to other conditions under Government instructions.
16. Leave Ex-Pakistan: - (1) 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.
- (2) The leave pay to be drawn abroad shall be restricted to a maximum of three thousand rupees per month.
- (3) The leave pay shall be payable in sterling, if such leave is spent in Asia other than Pakistan and India.
- (4) Such leave pay shall be payable for the actual period of leave spent abroad subject to maximum of one hundred and twenty days at a time.
- (5) Leave Ex-Pakistan will be regulated and be subject to the same limits and conditions as prescribed in rule 4, 5 and 12.

17. 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.
18. 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.
19. Absence after the expiry of leave:- Unless his 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 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.
20. Encashment of Leave Preparatory to Retirement:- Where a university employee opts not to avail the leave preparatory to retirement admissible to him under rule 14, he shall be allowed leave salary for the period for which leave preparatory to retirement is admissible, subject to a maximum of 180 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.
21. In Service Death, etc:- (1) 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 out of the leave at his credit shall be made to his family as defined for the purposes of family pension or, as the case may be, to the university employee.  
(2) For the purpose of lump sum payment under sub rule (1), only the "senior post allowance" will be included in the "leave pay" so admissible.
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 is spending away from his headquarters, he may be granted single return fare plus daily allowance as admissible on tour from the station where he is spending his leave to the place where he is required to report for duty. In case he is recalled to duty at headquarters and his 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. 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

24. Combination of different types of leave etc: - 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.
25. University Employees on leave not to joint duty without permission before its expiry.— Unless lie 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.
26. Leave due may be granted on abolition of post, etc: - (1) When a post is abolished, leave due to the University Employee, whose services are terminated in consequence thereof, shall be granted without regard to the availability of a post for the period of leave.  
(2) The grant of leave in such cases shall, so long as he does not attain the age of superannuation be deemed automatically to have also extended time duration of the post and the tenure of its incumbent.
27. Manner of handing over charge when proceeding on leave, etc: - (1) A University Employee proceeding on leave shall hand over the charge of his post, and if he is in Grade-16 and above, he shall, while handing over charge of time post, sign the charge relinquishment report.  
(2) 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.
28. Assumption of charge on return from leave, etc: - (1) A University Employee, on return from leave, shall report for duty to the authority that sanctioned his leave and assume charge of the post of which he is directed by that authority unless such direction has been given to him in advance.  
(2) In case he is directed to take charge of a post at a station other than that from where he proceeded on leave, travel expenses as on transfer shall be payable to him.
29. Account Office to maintain leave account: - (1) Leave account in respect of a University Employee shall be maintained as part of his Service Book.  
(2) The Account Offices shall maintain the leave accounts of University Employees of whom they were maintaining the accounts immediately before the coming into force of these rules. a
30. Leave to lapse when University Employee quits service: - All leave at the credit of a University Employee shall lapse when he quits service.
31. Leave application, its sanction, etc: - (1) Except where otherwise stated, an application for leave or for an extension of leave must be made to the Head Of Office where a University Employee is employed and, in the case of the head of office to the next-above administrative authority and the extent of leave due and admissible shall be stated in the application.  
(2) An audit report shall not be necessary before the leave is sanctioned.  
(3) When a University Employee submits a medical certificate for the grant of leave, it shall be by an Authorized Medical Attendant in the form attached to these rules.

- (4) Leave as admissible to a University Employee under these rules may be sanctioned by any other officer authorised by the Vice Chancellor to do so and, when so required, leave shall be notified.
- (5) 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 applicants were last recalled compulsorily from leave; and
  - (iii) Whether any applicants were required to make adjustment in the timing of their leave on the last occasion.