

The Gauhati University Leave Rules, 1966

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The Gauhati University Leave Rules, 1966Last Updated 11th February, 2020

1. Short title, commencement and extent of application.

(1)These Rules shall be called the Gauhati University Leave Rules, 1966.(2)They shall come into force from the first day of January, 1960 and shall except as may be specifically provided otherwise by the terms of employment in any particular case, apply to every whole time employee of the University existing on and appointed after that date ; provided that the University Research Scholars, employees of the University Press and Part-time employees shall be governed by special leave rules as provided hereafter.

2. Interpretation and definitions.

- In these Rules unless there be anything repugnant in the context, words and expressions defined below shall have the meanings hereinafter explained :(i)"Actual service" of an employee means the period which he spends on actual duty and also includes-(a)the period covered by any casual leave but no other leave granted to him ;(b)the University vacation ; and(c)the University holidays except such holidays as may fall within such vacations or leave other than casual leave that may be granted to him.(ii)"Competent authority" in relation to the grant of any leave to an employee under these Rules means the officer of authority authorised by these Rules to grant such leave to the employee.(iii)"Heads of Administrative Departments" for the purpose of these Rules shall mean and include the Registrar, the treasurer, the Secretary of the University Classes, the Controller of Examinations, the Executive Engineer, the Librarian and the Principal, University Law College.(iv)"Duty" means what an employee is bound or required to do by the terms of his appointment.(v)"Employee" means and includes the vice-Chancellor and other officers of the University, all teachers of the University and any other persons employed by the University, whole-time or part-time.(vi)"Senior grade employee" means a person holding a post the minimum of whose scale of pay is Rs. 1,000 or above.(vii)"Permanent employee" for the purpose of the Rules

means an employee appointed substantively on probation to a permanent post and an employee appointed for a term under provision of the Gauhati University Act, 1947 as amended.(viii)"Part-time employee" shall mean a person appointed as such on fixed monthly pay or allowance.(ix)"Employee in the vacation department" means an employee serving in a vacation department but does not include any office and laboratory staff, care-takers, darbans, day-chowkidars, night-watchmen, malis, sweepers and such other employee of department as may be specified in this behalf by the Vice-Chancellor.(x)"Retirement" means termination of service of an employee or attaining the age of sixty years or on completing a term under provision of the Gauhati University Act.(xi)"Holiday" means-(a) a Sunday, or (b) a holiday prescribed and notified as such in relation to any office or department of the University or any College or other institution, or (b) a day on which such office, department, college or institution is ordered by the Vice-Chancellor to be closed by a notice in writing.(xii)"Leave" means the privilege allowed to an employee of being absent from duty.(xiii)"Lien" means the title of an employee to hold substantively either immediately or on termination of a period or periods of absence, a permanent post under the University to which he has been appointed substantively.(xiv)"Pay" means the basic pay in respect of a whole-time appointment, special pay, personal pay, house allowance and such other emoluments as may be specially classed as pay; but an allowance for holding part-time appointment under the University shall not be included in pay.(xv)"Vacation department" means the teaching departments of the University, a constituent college or any other institution as is allowed by the University to have regular vacations during which employees serving that department are permitted at the discretion of the Vice-Chancellor to be absent from duty.

3. General conditions of leave.

(1)Leave shall be admissible to an employee on the basis of actual service only but cannot be claimed by him as a matter of right. If the competent authority is of the opinion that the interest of the University so requires, it shall have the discretion to refuse in full or in part to grant to an employee any leave which may be due to him under these Rules.(2)The Vice-Chancellor shall have the discretion at any time to recall to duty any officer or teacher of the University who may be on leave or vacation. The Heads of the Administrative Departments shall likewise have the power to recall to duty any employee under his administrative control subject to the approval of the Vice-Chancellor. When an employee is so recalled to duty the Vice-Chancellor may grant him such travelling expenses as may be admissible under the University T.A. Rules.(3)(a)Leave shall ordinarily be deemed to commence on the day before the expiry of the forenoon whereof an employee relinquishes his duty and to end on the day which immediately precedes the day before the expiry of the forenoon whereof he resumes his duty.(b)When the day which immediately precedes precedes the day on which an employee's leave commences or which immediately follows the day on which his leave is due to end, is a holiday or is included in series of holidays or in a vacation, such holidays or vacation may be combined with the leave and he may be permitted, as the case may be, to relinquish his duty and leave his station at the close of the day proceeding such holidays or vacation or to return to his station and resume his duty on the forenoon of the day following such holidays or vacation :Provided that a holiday or a series of holidays shall not be both prefixed and suffixed to a continuous period of leave.(c)When an employee is permitted under Clause (b) to combine leave with any vacation or holidays his leave shall be deemed to commence or end, as the case may be, on

the day on which it would have commenced or ended if it had not been combined with such vacation or holidays :Provided that a holiday or a series of holidays shall not be both prefixed and suffixed to a continuous period of leave.(4)Holidays may be permitted to be combined with leave by the competent authority ; but if any holidays fall between two periods of leave so as to result in a continuous period of absence from duty over the entire period, such holidays shall be treated as part of the leave.(5)Vacation may be permitted by the competent authority to be combined with any kind of leave except casual leave :Provided that when vacation falls between two periods of leave so as to result in a continuous period of absence from duty over the entire period, such vacation shall be treated as part of the leave.(6)Holidays immediately preceding or immediately succeeding a vacation shall be treated as part of the vacation for the purpose of these Rules.(7)An employee who remains absent from duty for any period after the end of any leave granted to him shall be deemed to be absent without leave during such period and shall not be entitled to any leave or other salary for the period of such absence unless his leave is extended by the competent authority so as to cover the period.(8)No employee who has been granted leave on medical ground shall return to a duty until he produces a certificate of fitness from a medical officer of the University or from a registered medical practitioner not below the rank of an Assistant Surgeon Grade I.(9)Unless permitted to do so by the competent authority an employee shall not return to duty before the end of any leave granted to him.(10)(a)No leave shall be granted during the period of notice of termination of service on any ground whatsoever.(b)No leave shall be granted to an employee who has been placed under suspension.(11)all leaves at the credit of an employee shall lapse on the date on which he must retire :Provided that if, in sufficient time, before the date on which such compulsory retirement is due, he has applied for any earned leave at his credit and the same has been refused to him in whole or in part in the interest of the University, the competent authority may, on a subsequent application, grant the whole or any part of such refused leave even though the leave so granted may extend beyond the date on which such compulsory retirement is due ;Provided further that an employee whose service has been extended in the interest of the University or re-appointed after the date of such termination may similarly be granted either within the period of extension or re-appointment or if the conditions of the preceding proviso are satisfied after its expiry, any earned leave which could have been granted to him under the preceding proviso had his services been terminated on that date and in addition any earned leave due in respect of such extension or re-appointment.(12)No whole-time employee shall, while on leave or vacation, accept any salaried appointment or undertake any remunerative work other than work in connection with any examination of a University or a Board unless the Vice-Chancellor or the Executive Council, as the case may be, has permitted to do so.(13)Unless in consideration of the special circumstances of any particular case the Executive Council decides otherwise, an employee shall be deemed to have ceased to be in the service of the University after he has been continuously absent from duty for a period of five years.(14)The total period of continuous leave excluding extraordinary leave granted to an employee otherwise than on medical certificates shall in no case exceed twenty-eight months.(15)The total period of continuous leave on full pay granted shall not ordinarily exceed 120 days. But in the case of higher study or training within India or abroad or on medical certificate it may be extended to a limit of 180 days.(16)A leave account in prescribed form shall be maintained in respect of every employee and the Heads of Administrative Department shall be responsible for its proper maintenance.(17)An employee shall have only one leave account irrespective of his holding additional appointment or appointments under the University. In a case where such an employee is

granted leave in respect of a substantive appointment he shall be deemed to be on leave in respect of the additional appointment or appointments held by him.(18)Every application for leave shall be made in writing.(19)No leave shall be availed of before it has been granted by the competent authority ; provided, however, that when an employee is compelled by unavoidable circumstances to absent himself from duty before he has been granted leave, he shall forthwith report the full facts of the case to the competent authority and apply for leave if he has not already done so.(20)If an employee is absent from duty without having been granted leave or without the previous permission of the competent authority or if he defaults without sufficient reasons in reporting his absence from duty as required by paragraph (19) the competent authority may refuse him any leave he may have applied for or may treat the period of such absence from duty as extraordinary leave without any.(21)If an employee deliberately violates any of the provisions of these Rules without sufficient reason, he shall be deemed to have committed an act of indiscipline and shall be liable for such penalties or punishment as may be prescribed.

4. Kinds of leave.

- Leave may be of the following kinds :(a)Ordinary or special casual leave.(b)Earned leave.(c)Leave on half pay.(d)Extraordinary leave.(e)Maternity leave.(f)Quarantine leave, and(g)Study leave.

5. Ordinary casual leave.

(1)Ordinary casual leave may be granted to an employee on previous application on the ground of illness or urgent private affairs. Such leave can be neither accumulated nor joined to a vacation or any other kind of leave.(2)The maximum amount of ordinary casual leave which may be granted to an employee shall be 15 days during a year unless he is an employee in a Vacation Department in which case the maximum shall be 10 days. Subject to the provisions of paragraphs (4) and (5) of Rule 3 of these Rules, casual leave may be granted to an employee in combination with University holidays ; provided that the total period of his absence from duty including such holidays does not exceed ten days at any time.

6. Special casual leave.

(1)(a)If, under the orders of the Vice-Chancellor or the Head of teaching or administrative department of the University in employee serving under him is detained on duty during any University holidays, he may be granted additional casual leave up to the number of days during which the employee has been detained but not exceeding seven days during the year.(b)If an officer or teacher of the University participates in a literary, scientific or educational conference or seminar or cultural or athletic activities and the Vice-Chancellor has permitted him to do so on sufficient grounds of if an officer or teacher of the University is required to perform any casual assignment in any institution other than the Gauhati University with prior permission of the Vice-Chancellor, he may be granted, at the discretion of the Vice-Chancellor, special casual leave up to such number of days as may specifically be required for the purpose.(2)Special casual leave cannot be joined with any other kind of leave. Vice-Chancellor is authorised to grant special casual leave to University employees who may attend the National Executive or General Council meeting of the All India

University Employees Confederation up to a maximum period of ten days.

7. Earned leave.

(1)The amount of casual leave admissible to a whole time employee shall be-(i)if he is a permanent employee serving in a vacation department, one twenty-second of the period of his actual service plus one eleventh of the period, if any, during which he may have been detained on duty during any vacation under the orders of the Vice-Chancellor or the Head of the Administrative Department concerned ; provided that he has not been paid any extra remuneration for the period of such detention.(ii)if he is a temporary employee serving in a vacation department and has no lien on any permanent post he shall not be eligible to any earned leave for the first year of service. On completion of one year's continuous service he will be eligible for leave terms indicated under (i) above. But in the first year of service he will be eligible to earned leave equivalent to one-eleventh of the period, if any, during which he may be detained on duty during vacation under the orders of the Vice-Chancellor or the Head of the Administrative Department concerned ; provided that he has not been paid any extra remuneration for the period of such detention.(iii)if he is a permanent employee serving in an office or department other than a vacation department one-eleventh of the period of his annual service; and(iv)if he is a temporary employee serving in an office or department other than a vacation department and has no lien on any permanent post, one twenty-second of the period of his actual service for the first year of service. On completion of one year's continuous service he will be eligible for leave terms indicated under (iii) above :Provided that in each such case when the total amount of earned leave due at any time amounts to 180 days he shall cease to earn any further leave.(2)No part-time employee shall be entitled to any earned leave.(3)For the purpose of this rule, a probationer shall be treated as a permanent employee.(4)When a temporary employee who has no lien on any permanent post is subsequently appointed substantively to a permanent post without any break to his service he shall be credited, on such appointment, with the amount of earned leave which would have been admissible to him if the actual service prior to such appointment had been tendered by him as a permanent employee ; provided that all earned leave which he may have already taken shall be debited against his leave account. For the purpose of this rule, any leave taken by any such temporary employee before such appointment shall not be deemed to be a break in his service.(5)An employee who has held, or been appointed to, any post for a period of not less than a year shall, for the purposes of this rule and of Rule 3(ii), 8 and 14 of these Rules, shall be deemed to be a permanent employee.(6)The amount of earned leave due to an employee shall be the amount of earned leave at credit of the employee on 1st January, 1967 under the University Leave Rules, 1955 plus the amount of earned leave calculated as prescribed under Rule 7 diminished by the amount of earned leave taken after 1st January, 1967.

8. Leave on half pay.

(1)Leave on half pay admissible to a whole-time employee shall be-(a)if he is a permanent employee one-twenty-second of the period of his actual service.(b)if he is a temporary employee having no lien on any permanent post or a part-time employee one-thirtieth of the period of his actual service.(2)Leave on half-pay may be accumulated and joined to any other kind of leave except casual leave.(3)Leave on half-pay can be granted on medical certificate only.(4)The amount of half pay

leave due to an employee shall be the amount of half pay leave calculated as prescribed in Rule 8 (1) for entire service diminished by the amount of sick leave taken by the employee before 1st January, 1967 and the half pay leave taken on or after that date.

9. Leave for tuberculosis, etc.

- An employee suffering or suspected to be suffering from tuberculosis, cancer, or leprosy and declared to be a clear case by a competent medical authority may be granted leave on full pay for one year by instalment of four months. But if, before expiry of the maximum amount of leave granted to the employee the case is certified to be a closed one he will be allowed to resume his duty on production of a fitness certificate from such medical authority. The appropriate medical authority shall be-(i) The medical officer-in-charge of a recognised sanatorium or hospital in the case of an employee undergoing treatment in a recognised sanatorium or hospital. (ii) A tuberculosis, cancer, or leprosy specialist as the case may be recognised as such by the University in the case of an employee receiving treatment by such a specialist.

10. Extraordinary leave.

(1) Extraordinary leave may be granted to an employee in special circumstances : (a) when no other leave is admissible to him, or (b) although other leave is admissible, he applies in writing for the grant of extraordinary leave. (2) Except in the case of a permanent employee, the duration of extraordinary leave shall not exceed 90 days on any occasion. (3) The competent authority may convert retrospectively in the case of any employee any period of absence from duty without leave into extraordinary leave. (4) (i) Subject to the provision of sub-clause (ii) below, no extraordinary leave shall be granted to an employee for holding an appointment outside the University. (ii) Extraordinary leave for holding appointment. - Notwithstanding anything contained in Clause (i) the Executive Council may grant on the request from the institution concerned, and on application of the employee extra-ordinary leave to an employee who has been confirmed in the post held by him and has put in service of not less than 5 years, to hold an appointment under a Government, a University, a Research Institute or other similar important institution for a period not exceeding 3 years, if in the opinion of the Executive Council such leave does not prejudice the interest of the University, the Executive Council shall, however, be competent to extend the aforesaid period by a period not exceeding six months in very exceptional cases. (iii) Notwithstanding any other leave which may be due to the employee under any other rule the entire period for which an employee holds an appointment outside the University under Clause (ii) shall be without pay or allowances and the period so spent shall not be counted for future increments or for gratuity but shall be counted for seniority. (iv) The services of an employee, in case of his failure to return to duty immediately at the end of the period of leave granted under Clause (ii) shall be terminated from the date of commencement of the period of leave granted under the same clause : Provided that the period of extraordinary leave granted to a teacher for teaching and academic assignment elsewhere for a specified period shall be counted for promotion, increment of pay and gratuity.

11. Maternity leave.

- (i) Maternity leave may be granted to a whole-time female employee on full pay for a period which may extend up to the end of three months from the date of its commencement or to the end of six weeks from the date of confinement whichever is ordered ; provided that she has been in continuous service of the University for at least one year immediately preceding the date of confinement.(ii)Leave of any other kind except casual leave may be granted in combination with maternity leave if the application is supported by medical certificate from the University Medical Officer, or if the competent authority so permits, from some other registered medical practitioner acceptable to it.(iii)Maternity leave granted to an employee shall not be debited against her leave account.

12. Quarantine leave.

(1)Quarantine leave may be granted to an employee when he is ordered by the competent authority not to attend office in consequence of the presence o any infectious disease in his family or household. Such leave may be granted on the certificate of the Medical Officer of the u for a period not exceeding 21 days or in exceptional circumstances 30 days. It may be combined with earned leave, half-pay leave or extraordinary leave but not with casual leave.(2)Quarantine leave granted to an employee shall not be debited against his leave account.

13. Study leave.

(1)Until otherwise decided by the Executive Council, the following general principles shall be followed in granting study leave :(a)Study leave may be granted only when the interest of the University or of a department of the University or a constituent college so requires.(b)All applications for study leave shall, before submission to the Executive Council, be examined by the Dean of the Faculty and the Head of the Department concerned who shall submit their recommendations, if any, to the Vice-Chancellor.(c)Study leave may be granted only to such permanent whole-time employees as have been confirmed in the service of the University and are not due to retire from the service of the University within five years of their return from such leave.An indemnity bond in prescribed form is necessary for written undertaking.(d)An employee who applies for study leave shall give a written undertaking that he shall serve the University for at least five-years on hi return from such leave.(e)Study leave may be granted to an employee only once during the entire period of his service in the University subject to a maximum period equivalent to the duration of the course approved by the Executive Council.Not more than two scholars be granted leave with full pay at a time for higher studies abroad.(f)The employee shall, on his return from duty leave after completion of his study, submit to the Executive Council a consolidated report on his study and achievements during the study leave together with the certificates of the examination, if any, passed by him.(2)Study leave may be combined with earned leave, half pay leave or extraordinary leave or with any vacation or holidays of the University ; provided that the earned leave due at the credit of the employee shall be availed of at the commencement of the study leave.(3)Study leave will count as services for the purpose of promotion and increment of pay and gratuity but not for the purpose of leave. Study leave shall not be debited

against the leave account.

14. Leave salary.

(1)An employee on earned leave shall be entitled to leave salary equal to his pay as it stood on the day immediately preceding that on which his leave commenced.(2)An employee on leave on half-pay will be entitled to leave salary equal to half the leave salary as admissible for earned leave.(3)A part-time employee of the University on half-pay leave shall be entitled to leave salary calculated as per (2) above.(4)An employee on extraordinary or study leave shall not be entitled to any leave salary.(5)An employee on casual, quarantine or maternity leave shall be entitled to leave salary as if he was on duty.

15. Powers of the Executive Council.

- Notwithstanding anything contained in these Rules, the Executive Council shall be competent to sanction any kind of leave on such terms as it may deem fit to any employee. It shall likewise be competent to vary, revise or cancel any leave order issued either by itself or by any officer or subordinate authority ; or it may, at its discretion, delegate the power reserved to it under these Rules to any authority subject to such restriction, as it may like to impose.

16. Authorities competent to sanction leave.

- (i) Subject to the provisions of Rule 15 of these Rules, the following authorities shall be competent to sanction leave under these Rules to the extent specified against each :

	Authority	Nature of leave	Extent of power
(i)	Vice-Chancellor	(a) Ordinary and special casual leave	To the full extent to all senior grade officers and heads of teaching departments.
		(b) All other kinds of leave except study leave.	To the extent of one month in the case of all senior grade officers except himself and professors and of a period beyond one month in case of other employees.
(ii)	Registrar	All other kinds of leave except study leave	To the extent of one month in case of all employees other than senior grade officers and teachers.
(iii)	Secretary, University Classes.	Ordinary and special casual leave	To the full extent to the teachers except professors and heads of the teaching departments on the recommendation of the Head of the Department concerned.

(iv)	Head of the administrative departments of the University.	Ordinary and special casual leave.	To the full extent in respect of the employees under his administrative control provided that in case of teaching departments with laboratories and museum, the application for leave must be recommended by the Head of the Department concerned.
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(ii) The authority granting leave will be expected to see that leave is not applied for on flimsy grounds and that adequate arrangement is made for ensuring that work in the University is carried on during the absence of the employee on leave. No employee should be granted earned leave more than once in course of the month except on medical grounds. (iii) Every authority competent to sanction casual leave shall be responsible for the proper maintenance of a casual leave register in Form No. 2 (leave) in respect of employee under his administrative control. (iv) A copy of every order granting leave other than casual leave shall be communicated to the Registrar and the treasurer. (v) In forwarding application from any of his subordinates for short leave of absence the officer concerned should suggest arrangements for carrying on his work during absence. (vi) When a University employee proceeds on or return from leave of any nature, he should immediately report the fact direct to the officer who granted him leave as well as to the Treasurer. (vii) Employees proceeding on leave of any description except casual leave must, before the departure, furnish the Registrar and the Treasurer and the Head of the Department to which they belong, as the case may be, with some addresses through which communications can, if necessary, be made to them during the period of their leave.

17. Doubts and difficulties.

- If any doubt or difficulty arises with regard to the interpretation or application of any of the provisions of these Rules, the Vice-Chancellor may refer the matter to the Executive Council whose interpretation or decision shall be final.

18.

These Rules shall supersede the Leave Rules of 1955.

19. Leave Rules for employees of the University Press.

- The University Press employees shall be governed by the leave rules of the Government of Assam applicable to the Assam Government Press employees.

20. Leave rules for research fellows and scholars of the University.

(a) Within the period of research fellowship or scholarship, the whole time of the fellow or scholar shall be devoted to research. Reasonable leave not exceeding six weeks in a year may be granted to a

fellow or scholar by the Registrar on recommendation of the supervisor and the period of such leave shall be treated as a part of the scholar's tenure. Of this allocation not more than 4 weeks may be granted at the end of the period of scholarship. Leave for uncompleted year may be awarded on pro-rata basis. Within this quota casual leave limited to 12 days in a year and not exceeding 8 days at a time may be allowed to the scholar.(b)Maternity Leave. - Maternity leave may be granted to a woman fellow or scholar as per provision under Rule 11 of these Rules.