

NWFP AGRICULTURAL UNIVERSITY PESHAWAR
LEAVE RULES 1981



NWFP AGRICULTURAL UNIVERSITY
PESHAWAR – PAKISTAN

NWFP Agricultural University Peshawar Leave Rules 1981

Preamble

Where as it is expedient to frame Leave Rules for the N.W.F.P. Agricultural University Peshawar (to be hereafter called the University), the following rules are hereby framed to govern leave admissible to the employees of the University:

Title

1. These Rules may be called the N.W.F.P. Agricultural University Peshawar Leave Rules 1981.

Commencement

2. These Rules shall be deemed to have come into force with effect from 14-05-1981.

Application

3. These Rules shall apply to all employees of the University. Persons on deputation shall be governed by the leave rules of their parent organizations, unless otherwise provided in their contract of service.

Definitions

4. (1) In these Rules unless there is anything repugnant in the subject or context the following expressions shall have the meanings hereby respectively assigned to them as under :
 - (a) "Pay" means the amount drawn monthly by a University employees as
 - (i) The pay other than special pay, or pay granted in view of his personal qualifications, which has been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reason of his position in a cadre: and
 - (ii) Overseas pay, technical pay, special pay and personal pay: and
 - (iii) Any other emoluments which may be specially classed as pay by the syndicate.
 - (b) "Employee" means a person who holds a post in the University service and who is paid from the University funds.

- (c) "Year" means a Calendar year.
- (d) "Average Pay" means the pay calculated at a rate equal to the rate of pay drawn by the University employee immediately before the commencement of leave on average pay.
- (e) "Leave on average pay" (or half average pay) means leave or leave salary equal to average (or half average) pay.
- (f) "Leave salary" means the monthly amount paid by the University to its employee on leave.
- (g) "Duty" means a period during which a University employee performs the duties of a post and is includes:
 - (i) service as a probationer or an apprentice provided such service is followed by confirmation .
 - (ii) the period spent on an authorized training instructors refresher course, study tour and exchange programme, outside or within Pakistan up to a maximum of three months at a time.
- (h) Heads of departments: The term includes:-
 - (i) Chairmen of the University Teaching Departments.
 - (ii) Directors of Institutes/Academies established as a constituent Institutions by the University.
 - (iii) Head of Administrative Division Viz. Registrar, Deputy Director (Finance), Assistant Controller of Examinations, and other officers designated as such by the Syndicate.
- (i) "Medical Certificate" means the medical certificate issued by any of the University Authorities Medical Attendants.
- (j) "Active Service" means the time spent on duty and on privilege leave.
- (k) "Regular Vacations" means
 - (i) Summer Vacations of 10 weeks.
 - (ii) Winter Vacation of 2 weeks and
 - (iii) Spring Vacation of weeks.
- (l) "Regular Leave" means any of the leaves mentioned under section 5.
- (m) "Existing Leave Rules" means the leave Rules which were in force immediately before the promulgation of these Rules.

- (2) All other terms and expressions shall have the same meanings as assigned to them under Section 2 of the NWFP Agricultural University Ordinance.1981.
5. The following kinds of leave shall be admissible to the employees of the University:
 - (a) Privilege Leave
 - (b) Sick Leave
 - (c) Maternity Leave
 - (d) Study Leave
 - (e) Sabbatical Leave
 - (f) Special disability Leave
 - (g) Leave preparatory to retirement
 - (h) Leave not due
 - (i) Extra Ordinary Leave
 - (j) Special Leave.

Privilege Leave

6. Privilege Leave to which an employee shall be entitled will be of two kinds:
 - (a) Privilege Leave on half average pay earned by an employee at the rate of 1/12th of the period spent on duty.
 - (b) Privilege Leave on average pay earned at the rates as specified below:
 - (i) an employee who is entitled to regular vacations shall earn leave on average pay at the rate of 1/35th of the period spent on duty.
 - (ii) an employee who is entitled to a part of regular vacations shall earn leave on average pay at the rate of 1/24th of the period spent on duty.
 - (iii) an employee who is not entitled to regular vacations shall earn leave on average pay at the rate of 1/11th of the period spent on duty.
7. Accumulation of privilege leave shall be without limit provided that, subject to title, leave on average pay may be granted upto a maximum of six months at a time.
8. For the purposes of Section 6 and 7, holidays and regular vacations except those falling within the time an employee is absent on regular leave shall count as duty.
9. The powers to grant privilege leave shall vest in the Vice Chancellor; provided that he may delegate these powers to the Heads of Departments by a general or special order in writing.

Sick Leave

10. Sick leave means leave granted to an employee in case of illness on production of a medical certificate.
11. Sick Leave shall be debited against the credit of privilege leave. Provided that it shall be permissible to convert leave on half average pay into leave on average pay on production of medical certificate upto a maximum of twelve months at a time at the rate of two days of leave on half average pay for one day of leave on average pay and that such conversion shall be permissible even when an employee who has leave on average pay at his credit, instead of availing himself of this leave in case of illness, would like to preserve it for some other occasion and convert leave on half average pay at his credit into leave on average pay.
12. Sick Leave may be granted by the Vice Chancellor, who may delegate his powers to other officers in this respect.

Maternity Leave

13. Maternity Leave not exceeding three months at a time may be granted on full pay to a female University employee on medical certificate in such a manner that the date of confinement falls within the leave period and the leave does not go on for more than six weeks beyond the date of confinement, provided that such leave shall not be granted for more than 3 times in the entire service.
14. For the purposes of this Section the term "Pay" includes officiating pay provided the authority sanctioning the leave under these Rules certifies that the member of the service would have continued to officiate had she not proceeded on maternity leave.
15. Maternity Leave may be granted in combination with leave of any other kind.
16. Maternity leave shall not be debited to leave account.
17. Maternity Leave may be granted by the Vice Chancellor. He may also delegate this power to any other officer in this respect.

Study Leave

18. Study Leave means leave granted to a permanent University employee for obtaining a higher degree within or outside Pakistan and it may be granted by the Syndicate to such a permanent employee as has put at least three years¹ of service at the University.
19. Application for study leave must clearly specify the course or courses of study contemplated and any examination which the applicant proposes to take. No course of study will qualify the applicant for study leave or leave salary unless it has been approved by the Syndicate.

¹ The Syndicate in its meeting held on 05-12-1985 had reduced this period to one year and confirmed persons with at least one year service were made eligible.

20. Such study leave shall not be granted to a University employee who is due to retire from service within five years of the date and which such leave and the leave, if any with which it is combined would expire.

21. Such leave shall normally not exceed 3 years at any one time, and in no case four years² during the entire period of service of the University employee.

Provided that in case of an employee who, for obtaining a degree other than Ph.D. had availed himself of study leave prior to the promulgation of these Rules, he may be again granted study leave only for obtaining Ph.D. degree for a period not exceeding three years subject to the condition that such employee shall not be allowed the concession under Section 25 below.

22. Study Leave may be granted on average pay for a period not exceeding three years during the whole period of the employee's service in the University;

Provided that in case of the extension of study leave upto four years, it shall be permissible to convert such a portion of study leave with average pay into leave on half average pay as would be required for making the leave so extended leave on half average pay for one day of leave on average pay.

23. Study Leave will count as service for increment, promotion gratuity and bonus but not for leave. It will count as extra leave and except as provided in Section 24 below, study leave will not affect any leave which a University employee may already have taken, and shall not be debited against his leave account.

24. The grant of study leave under these Rules is further subject to the following conditions:

(a) If an employee who is granted study leave does not show satisfactory progress in his studies or fails to obtain the relevant degree within required period, the Syndicate may direct that

(i) his study leave shall be cancelled and study leave availed by him shall be converted into other leave standing at his credit or into extra-ordinary leave if no other leave stands to his credit and he shall refund to the University either the whole or part of the difference between the leave salary paid to him for the period of the study leave and the leave salary admissible to him on account of the leave to which the study leave has been converted, or the whole or part of the leave salary paid to him for the period of the study leave, if such leave has been converted into extra-ordinary leave; and that

(ii) all the privileges allowed to him under Section 23 above shall be withdrawn.

Provided that the clauses (i) and (ii) above shall not apply in case the University employee fails to show satisfactory progress in his studies or to obtain the relevant degree due to illness or other circumstances beyond his control.

² Section 44 of Service Statutes 2000 allows 05 years Study Leave for training.

- (b) Before proceeding on study leave the University employee shall execute a bond on a stamped paper to the effect that on his return from study leave, he shall serve the University for such period as specified in clause (i) below and that in case of his failure to serve the University for this period he shall pay to the University as liquidated damages and not penalty the amount as specified in clause (ii) below:
- (i) if the period of study leave is from six months to one year he shall serve the University for two years; if it is from one to two years, he shall serve the University for three years and if it is from two to three years or more, he shall serve the University for five years. No bond will be required in case of training or study programme for less than six months.
- (ii) if he does not resume duty on the expiry of the study leave granted to him or after resuming duty, leaves the University service before the expiry of the relevant period as specified in clause (i) above, he shall be liable to pay to the University, as per year for such period as is short of the period for which he is required to serve the University under clause (i) above.
25. The period of study leave without pay granted to a University employee prior to 14-6-1981 shall be counted as the period of qualifying service for pension subject to the conditions that:
- (a) He successfully completed his course of study by obtaining degree/diploma/certificate and that;
- (b) The period of such qualifying service shall not exceed 3 years in the case of the employee who availed himself of study leave with pay and 4 years in the case of the employee who was not granted study leave with pay at all.

Sabbatical Leave

26. (a) A University teacher may be granted one year's sabbatical leave on average pay on the completion of every six years of active service in the University subject to a maximum of 2 years during the whole period of his service at the University.
- (b) Sabbatical leave will be granted to a permanent University teacher only for undertaking such research assignments within or outside Pakistan as are related to his subject in respect of which he will be required to give definite proof.
- (c) Subject to the exigencies of service sabbatical leave may be granted up to maximum of one year at a time with average pay.
- (d) A University teacher shall not be allowed to proceed on sabbatical leave during a semester.
- (e) A University teacher proceeding on sabbatical leave shall be entitled to retain the residential accommodation allotted to him by the University, provided his family resides in the house.
- (f) It will not be permissible to combine sabbatical leave with any other leave.

Extra Ordinary Leave

27. (1) Extra ordinary leave may be granted to a University employee in special circumstances:
 - (a) When no other leave is admissible under these University Rules.
 - (b) When other leave is admissible, but the University employee concerned applies in writing for the grant of extra-ordinary leave.
- (2) No leave salary is admissible in the case of extra-ordinary leave.
- (3) The authority empowered to grant leave may commute retrospectively the period of absence without leave into extra-ordinary leave.
- (4) In the case of a permanent University employee, the period of absence from duty at one time on account of extra-ordinary leave or such leave in conjunction with any other kind of leave shall not exceed five years.
- (5) Extra-ordinary leave may be granted by the Vice Chancellor, who may delegate his powers to other officers in this respect.

Special Disability Leave for Injury Intentionally Inflicted

28. (1) Subject to the conditions herein after specified a competent authority may grant special disability leave to a University employee who is disabled by injury intentionally inflicted or caused in, or in consequence, of the due performance of his official duties or in consequence of his official position.
- (2) Special disability leave shall not be granted unless the disability manifested itself within three months of the occurrence to which it is attributed, and the person disabled acted with due promptitude in bringing it to the notice of the competent authority. But the competent authority, if it is satisfied as to the cause of the disability, may permit leave to be granted in cases where the disability manifested itself more than three months after the occurrence of its cause.
- (3) The period of leave granted under these University Rules shall be such as to be supported by Medical Certificate. It shall in no case exceed twenty four months.
- (4) Such leave may be combined with leave of any other kind.
- (5) Such leave may be granted more than once, if the disability is aggravated or recurs in similar circumstances at later date, but not more than twenty four months of such leave shall be granted in consequence of any one disability.
- (6) Such leave shall be counted as duty in calculating service for pension and gratuity and only half of such leave on average pay shall be debited against the leave account.
- (7) Leave salary during such leave shall be equal:
 - (a) to average pay for the first four months of any period of such leave, including a period of such leave granted under Para (5) of these University Rules, and

- (b) to half average pay for the remaining period of any such leave or at the University employee's option to average pay for a period not exceeding the period of leave on average pay which would otherwise be admissible to him.

Special Leave

29. The Syndicate may, in extra-ordinary cases, grant special leave to a permanent employee on such terms and conditions as they deem proper.

Provided such employee has not at his credit less than three years of service at this University.

Leave Preparatory to Retirement

30. An employee may be granted leave preparatory to retirement for a period not exceeding twelve months, subject to title, before the member attains the age of 60. If due to exigencies of service an employee is prevented from proceeding on leave preparatory to retirement, the leave so admissible to the member shall be granted on attaining the age of 60, provided that for the purpose of leave preparatory to retirement it will be permissible to convert leave on half average pay into leave on average pay at the rate of two days of leave on half average pay for one day of leave on average pay.
31. The Vice Chancellor shall grant leave preparatory to retirement.

Leave not Due

32. Except in case of leave preparatory to retirement leave not due may be granted on half average pay upto a maximum of twelve months during the whole service if it is on medical certificate or upto a maximum of three months during the whole period of service if it is not on medical certificate. When an employee of the service returns from leave which was not due and was debited against his leave account, no leave on half average pay shall become due to him until the expiry of a fresh period spent on duty sufficient to earn credit of leave equal to the period of leave which he took before it was due. The accumulation on average pay, that may be earned subsequent to return from leave not due, shall remain unaffected but cannot be utilized except, to the extent that it exceeds half of the period of unadjusted leave not due.

Casual Leave

33. In addition to the categories of leave already treated, an employee may be granted casual leave up to 25 days in a year if he is not entitled to regular vacation and ten days in a year if he is entitled to regular vacation and 13 days in a year if he is entitled to apart of regular vacations. An employee who is entitled to 25 day's casual leave shall not be granted more than ten days causal leave at a time.
34. Casual leave to the Head of Departments shall be granted by the Vice Chancellor. Heads of departments may grant casual leave to the personnel working under them.
35. Casual leave combined with any other kind of leave will be granted as one spell of regular leave.

General Provisions

36. The maximum period of leave on half average pay or such leave combined with leave on average pay that may be taken at one time shall be one year. But if supported by a medical certificate, it may be extended to two years.
37. An employee deputed by the University for attending conferences, seminars and meetings shall be considered on duty for the period of their duration as well as for the period spent on journey to and from the venue,
38. An employee who is required to undertake examination duties within or outside the University shall be treated on duty upto a maximum of twenty five days for one examination; provided that no person shall be appointed to supervise more than one examination in a year and in no case the period of such appointment during a year shall exceed 25 days of absence from duty.
39. For reasons to be recorded in writing the Vice Chancellor may suspend the operation of the proceeding section, generally or in specified case.
40. A leave account shall be maintained for each employee subject to these Rules in such form as prescribed.
41. In case of an employee who opts for these Rules the leave on average pay or half average pay that shall be carried forward as the balance at his credit on 14-6-1981 shall be calculated at the rates prescribed in these Rules as if the rates had been applicable to the employee concerned from the beginning of his service under the University of Peshawar less the period of leave on average pay or half average pay already taken by him.
42. The Syndicate may;
 - (a) grant to an employee any kind of leave admissible under these Rules **in combination** with any other kind of leave so admissible;
 - (b) grant to an employee any kind of leave admissible under these Rules **in continuation** of any other kind already taken;
 - (c) Commute the whole or any portion of any leave granted under these Rules or under the existing leave rules retrospectively into any other kind of leave which was admissible when the original leave was granted; Provided that the whole period of leave granted either under (a) or (b) above shall not exceed 5 years in each case.
43. The temporary or officiating service under the University if it counts for pension shall also count for leave.
44. Leave on half average pay on medical certificate may be granted to a temporary University employee who has completed one year's continuous service at the rate of 15 days for any completed year of service.
45. In case of an employee who is re-employed after retirement at the age of 60 years, leave may be granted to him as provided under Section 44 and 45 above.
46. If a member wishes to resume his duties before the expiry of his leave, he may

do so with the previous approval of the Vice Chancellor;

Provided that if the competent authority has made other arrangements for the period of his leave which would involve it in a pecuniary loss on his return, such loss shall be made good by the employee.

47. An employee of the University accepting employment elsewhere during leave, including leave preparatory to retirement from the University, without the previous sanction of the appointing authority, shall be liable to forfeit his leave salary from the date of his accepting such appointment.
48. Leave cannot be claimed as a matter of right. When the exigencies of service so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it.
49. University employee who absents himself without leave or remains absent without leave shall not be entitled to any pay for the period of his absence without leave.
50. In matters not provided for any these Rules, the Syndicate may adopt the rules or instructions issued by the NWFP Government from time to time in respect of Government servants.
51. In case where the operation of these rules causes undue hardship to a University employee, the Syndicate may for reasons to be recorded in writing, relax any of these rules.

N.W.F.P. AGRICULTURAL UNIVERSITY
PESHAWAR

No. 677/S-I

Date: 07-12-1994

NOTIFICATION

1. In continuation to office order No. 182/Estt., dated 2.3.1982, the Vice Chancellor is pleased to delegate powers of granting following types of leave to all heads of departments/sections/units directorates.
 - i. Casual Leave
 - ii. Privilege Leave
 - iii. Medical Leave
 - iv. Maternity Leave
2. The Establishment will continue to handle ex-pakistan leave/ duty leave, and special leave.
3. The deans of faculties will sanction the above types of leave in respect of the chairmen of departments in their respective faculties.
4. The heads of departments/sections/units/directorates may ascertain the privilege leave credit from the Establishment of the University.

Registrar

Copy to:

All heads of the Departments/Sections/Units/Directorates.

GOVT. OF NWFP, FINANCE DEPARTMENT
(SR-IV SECTION)
Dated 3-5-1988

NOTIFICATION

No.FD.SO(SR.IV)5-54/80-VOL:III- In exercise of the powers conferred by Section 26 of the NWFP Civil servants Act,1973(NWFP Act XVIII of 1973), the Governor of NWFP is pleased to direct that in the NWFP Civil servants Revised Leave Rules 1981 the following amendments shall be made

AMENDMENT

For Rule 21 the following rule shall be substituted, namely

21. In service death etc.(I). In case a Civil servant dies, or is declared permanently incapacitated for further service by a Medial Board, while in service a lump-sum payment equal to leave pay up to 180 days out of the leave at his credit shall be made to his family as defined for the purpose of family pension or, as the case may be, to the civil servant.
2. For the purpose of lump-sum payment under sub-rule(I), only the "Senior post allowance" will be included in the "leave pay" so admissible.

By order of the Governor,NWFP

Sd/(Gulzar Khan)
Additional Secretary-I
Finance Department