

**THE GANDHIGRAM INSTITUTE OF RURAL HEALTH AND FAMILY WELFARE TRUST**  
**AMBATHURAI R.S., GANDHIGRAM P.O., DINDIGUL D.T. - 624 302**

**PART - III**

**EMPLOYEES' LEAVE RULES 2003**

**1. SHORT TITLE AND DATE OF COMING INTO FORCE**

- a) These rules may be called "The Gandhigram Institute of Rural Health and Family Welfare Trust Employees' Leave Rules, 2003".
- B) These rules shall come into force with effect from a date notified by the Board of Trustees.

**2. APPLICATION**

These rules shall apply to all Employees of the Institute on a time scale of pay; but shall not apply to:-

- a) Persons in casual or daily rated or part-time employment;
- b) Persons employed in various projects of the Institute;
- c) Persons employed on contract basis; and
- d) Persons serving the Institute on deputation from the Government of India or State Government or any other source for a limited period.

**3. KINDS OF LEAVE**

The following kinds of leave are admissible:

- i. Earned Leave
- ii. Unearned Leave on Medical Certificate
- iii. Unearned Leave on Private Affairs
- iv. Special Disability Leave
- v. Maternity Leave
- vi. Leave for adoption
- vii. Compensatory Leave
- viii. Casual leave
- ix. Special Casual leave; and
- x. Extraordinary Leave without pay and allowances.

**4. EARNED LEAVE**

- (i) The leave account of every permanent employee shall be credited with

Earned Leave in advance in two installments of 15 days each on the first day of January and first day of July of every calendar year.

- (ii) The leave at the credit of a permanent employee at the close of the previous half year shall be carried forward to the next-half year subject to the condition that the leave so carried forward plus the credit due to the forthcoming half year do not exceed the maximum limit of 240 days.
- (iii) Earned leave shall be credited to the leave account of an employee at the rate of 2 1/2 days for each completed calendar month of service which he is likely to render in a half year of the calendar year in which he is appointed.
- (iv) The credit for the half year in which an employee is due to retire or resigns the service shall be afforded only at the rate of 2 1/2 days per completed calendar month upto the date of retirement or resignation.
- (v) When an employee is removed or dismissed from service or dies while in service, credit of earned leave shall be allowed at the rate of 2 1/2 days per completed calendar month upto the end of the calendar month in which he is removed or dismissed from service or dies in service.
- (vi) If a permanent employee has availed of extraordinary leave (with or without Medical Certificate) and/or some period of absence has been treated as dies-non in a half year, the credit to be afforded to his leave account at the commencement of the half year shall be reduced by 1/10th of such leave and/or dies-non, subject to a maximum of 15 days.
- (vii) While affording credit of earned leave, fractions of a day shall be rounded off to the nearest day.
- (viii) In the case of non-permanent employee (probationer and temporary), earned leave shall be credited to the leave account at the rate of 2 1/2 days for every two completed calendar months of service which he is likely to render in a half year of the calendar year, subject to a maximum of 30 days.
- (ix) An employee in Basic Service, shall be entitled for advance credit of earned leave as ordered in item (i) above after completion of 5 years of regular service. Those who have put in less than 5 years of regular service shall be governed by the provision under item (viii) above.
- (x) If an employee is on leave on the last day of any particular half of a calendar year, he shall be entitled to earned leave credited on the first of the succeeding half year, provided the authority competent to grant leave has reason to believe that the employee will return to duty on the expiry of leave.
- (xi) When the earned leave at the credit of an employee as on the last day of

December or June is 240 days or less but more than 225 days, the advance credit of 15 days earned leave on the first day of January or July to be afforded shall, instead of being credited in the leave account, be kept separately and first adjusted against the earned leave that the employee takes or surrenders during that half year and the balance, if any, shall be credited to the leave account at the close of the half year, subject to the condition that balance of such earned leave plus leave already at credit do not exceed the maximum limit of 240 days.

## 5. UNEARNED LEAVE ON MEDICAL CERTIFICATE

i) The eligibility of Unearned Leave on Medical Certificate is as below:

### A) Superior Service:

- |   |   |          |
|---|---|----------|
| a) Temporary employees<br>(Probationer) | : | Nil      |
| b) Permanent employees                  |   |          |
| <u>No. of years of service</u>          |   |          |
| 2 to 5 years                            | : | 90 days  |
| 5 to 10 years                           | : | 180 days |
| 10 to 15 years                          | : | 270 days |
| 15 to 20 years                          | : | 360 days |
| Above 20 years                          | : | 540 days |

### B. Basic Service:

- |  |   |  |
|--|---|--|
| a) Temporary employees<br>(Probationer)  | : | Nil  |
| b) Approved probationers<br>who have not completed<br>15 years of service  | : | 10 days for every completed year of<br>service |
| c) On completion of 15 years from the date of regularisation, employees under Basic Service will be allowed UEL on MC as admissible to employees under Superior Service. |   |  |
- ii) In respect of employees undergoing treatment for Tuberculosis, Leprosy, Cancer, Coronary surgery, Kidney transplantation or Retina transplantation. UEL on M.C. shall be granted without reference to the length of service subject to the condition that the Medical Board of the District Headquarters Hospital, Dindigul should recommend the leave.
- iii) An application for leave on Medical Certificate made by an employee shall be accompanied by a medical certificate given by an Assistant Surgeon in a Government Hospital or the Medical Superintendent, Kasturba Hospital,

Gandhigram.

- iv) A Medical Officer shall not recommend the grant of leave in any case in which there appears to be no reasonable prospect that the employee concerned will ever be fit to resume his duties and in such cases, the opinion that the employee is permanently unfit for service shall be recorded in the Medical Certificate.
- v) The Authority competent to grant leave may, at its discretion, secure a second medical opinion of a Government Medical Officer not below the rank of a Civil Surgeon.
- vi) Employees applying for Unearned Leave on Medical Certificate shall be referred to a Medical Board of the District Headquarters Hospital, Dindigul under the following circumstances:
  - a) When the leave applied for exceeds 60 days
  - b) When an employee frequently takes leave on M.C.
  - c) When the appointing authority considers that there are sufficient grounds to refer the employee to a medical board.
- vii) Employees admitted in any Government Hospital or Kasturba Hospital, Gandhigram may produce medical certificate issued by the Superintendent of the hospital. They need not be referred to the Medical Board. Similarly leave advised in continuation of discharge from any Government Hospital or Kasturba Hospital, Gandhigram need not be referred to the Medical Board provided the certificate is issued by the Medical Officer who treated the employee before discharge.
- viii) In respect of employees undergoing treatment as inpatients in private hospitals, the following procedure should be adopted:
  - a) The patient should be produced for medical opinion before the Medical Board of District Headquarters Hospital, Dindigul. Ambulance charges if any, paid for this purpose will be reimbursed.
  - b) If the condition of the patient is serious, medical records shall be produced to the Medical Board of the District Headquarters Hospital, Dindigul for opinion.
- ix) Employees undergoing treatment for TB, Cancer and Leprosy, coronary surgery, Kidney transplantation and Retina transplantation need not be referred to a Medical Board subject to the following conditions:
  - a) In the case of TB patients, certificates issued by a Specialist working in a TB Hospital getting government grant should be produced.
  - b) For leprosy patients, medical certificate issued by a Medical Officer

working in a hospital getting government grant should be produced.

- c) In the case of treatment for cancer and Leprosy, certificate issued by a Specialist working in the respective Government Hospital should be produced.
- d) Employees undergoing treatment for coronary surgery, Kidney transplantation and Retina transplantation should produce a medical certificate issued by a specialised doctor attached to a Government recognised institution.

## 6. UNEARNED LEAVE ON PRIVATE AFFAIRS

i) The eligibility of unearned leave on private affairs is as below:

### A. Superior Service:

- a) Temporary employees : Nil  
(Probationers)
- b) Permanent employees  
Length of service
  - 0 to 10 years : 90 days
  - Above 10 years : 180 days

### B. Basic Service:

- a) Temporary employees : Nil  
(Temporary)
- b) Employees under Basic Service, on completion of 15 years of service from the date of regularisation, will be allowed UEL on Private Affairs as admissible to employees under Superior Service.

ii) The leave, if availed at a time should not exceed three months. When it is combined with earned leave, total leave should not exceed six months.

## 7. SPECIAL DISABILITY LEAVE

- i) An employee, if disabled by injury natural or accidental while discharging his official duties, is eligible for "Special Disability Leave".
- ii) Special Disability Leave may be sanctioned even after some time provided the disability manifests itself within three months from the date of accident.
- iii) This leave should be sanctioned only on the advice of the Medical Board of the District Headquarters Hospital, Dindigul; and

- iv) Special Disability Leave may be sanctioned subject to a maximum of twenty four months in respect of any one disability.

## **8. STUDY LEAVE**

- i) This leave may be granted at the discretion of the Board of Trustees to technical staff to undergo study on scientific or technical problem or to undergo special courses or instruction of relevance to the Institute either inside or outside India.
- ii) This leave shall be granted to employees who have completed five years of service and should not retire from service within five years from the date of training.
- iii) This leave may be granted upto 12 months at a time and upto 24 months in all.
- iv) This leave may be combined with any other kind of leave; but the total of study leave and other leave sanctioned in continuation should not exceed 28 months.
- v) This leave is not debitable against the leave account.
- vi) In all cases of study leave, the employee should execute a bond in the prescribed format.
- vii) Study leave shall be granted only once during the entire service of the employee.

## **9. MATERNITY LEAVE**

- i) A female employee with less than two children may be granted Maternity leave for a period of 90 days from the date of its commencement on production of medical certificate.
- ii) In respect of women employee who is on probation, Maternity Leave may be granted even before completing one year of service. However, earned leave available at credit shall first be sanctioned and the balance sanctioned as Maternity leave.
- iii) Temporary women employees may also be sanctioned Maternity leave on completion of one year of service; in this case, earned leave available at credit shall first be sanctioned and the balance sanctioned as Maternity leave.
- iv) Maternity leave may be availed either before or after delivery as advised by the Treating Medical Officer.

- v) In continuation of maternity leave other kinds of leave upto one year may be sanctioned on the advice of a Treating Medical Officer.
- vi) If delivery occurs while on leave (other than maternity leave) maternity leave shall commence from the date of delivery.
- vii) Maternity leave may be sanctioned to employees in case of miscarriages or abortion or medical termination of pregnancy irrespective of number of abortions. The period of leave sanctioned shall be six weeks from the date of abortion or medical termination of pregnancy. The medical termination of pregnancy should have taken place after 12 weeks but before 20 weeks of pregnancy and the termination of pregnancy should have been performed in Government Hospitals or other institutions approved under Medical Termination of Pregnancy Act 1971.

## **10. LEAVE FOR ADOPTION**

- i) If a woman employee adopts a child less than one year of age, she is eligible for any kind of leave for a maximum period of one year excluding the completed months of the baby adopted.
- ii) In other cases, she may be sanctioned any leave for which she is eligible for a maximum of 3 months.
- iii) She should not already have more than two living children.
- iv) A Certificate from the Recognised Voluntary Institution that the applicant has legally adopted the child should be produced.

## **11. COMPENSATORY LEAVE**

- i) Any member of the Ministerial Staff in the rank of Assistant and below who is required to perform his duties on a Sunday or other closed holidays is eligible for Compensatory leave upto a maximum of 20 days in a calendar year. If occasion arises so as to make it almost essential as a matter of routine, ministerial staff in the rank of Superintendent and above and other technical staff may also be granted compensatory leave.
- ii) This leave is not admissible for attending work on holidays while on camp. If TA is claimed for the holiday duty, the compensation leave is not admissible.
- iii) The compensatory leave shall not be granted for more than three days at a time and shall not be carried forward to the next calendar year. It should be availed within six months of accrual.

- iv) This leave may be combined with holidays and casual leave subject to the condition that the total period of absence does not exceed 10 days.
- v) This leave may be prefixed or suffixed to all kinds of leave other than Unearned leave on Medical Certificate.

## **12. CASUAL LEAVE**

- i) Casual leave may be combined with compensatory leave, Sunday and other holidays subject to the condition that the total period of absence does not exceed 10 days.
- ii) Casual leave cannot be combined with Earned leave or Medical leave or Study leave.
- iii) Unavailed casual leave in a calendar year cannot be carried over to the next calendar year.
- iv) Total number of days of casual leave that can be sanctioned in a calendar year is 12. In addition, employees will be allowed two days as optional Religious Holidays.

## **13. SPECIAL CASUAL LEAVE**

Special Casual leave not counting against ordinary casual leave may be granted to an employee in the following circumstances:

- i) When he is ordered by the Head of the Institute to absent himself from duty on account of the presence of infectious disease in his house - such as Small pox, chicken pox, plague, cholera, Acute Influenza, pneumonia, diphtheria, typhoid, cerebral-spinal meningitis. Leave under this head shall not ordinarily be granted for a period exceeding 21 days, but in exceptional cases, it may be granted upto 30 days.
- ii) Special Casual leave not exceeding six working days to men employees who undergo sterilisation operation and fourteen working days to married women employee who undergo non-puerperal sterilisation operation during ordinary time if not immediately after confinement in any recognised hospital may be sanctioned.
- iii) Special casual leave for one day may be granted to married women employees on written application for the Intra-uterine device insertion and this leave shall be sanctioned for the day of insertion of the device.

## **14. EXTRAORDINARY LEAVE WITHOUT PAY AND ALLOWANCES (LEAVE ON LOSS OF PAY)**



- i) Extraordinary Leave may be granted to an employee when no other leave is admissible or other leave being admissible the employee applies in writing for the grant of extraordinary leave.
- ii) Extraordinary leave may be granted to an employee for not more than three months at a time and not more than twelve months during his entire service in the Institute.
- iii) Extraordinary leave with medical certificate will count for pension and increment.

#### **15. RIGHT TO LEAVE**

- i) Leave cannot be claimed as a matter of right. When the exigencies of Public Service so require, leave of any kind may be refused or revoked by the authority competent to grant it, but it shall not be open to the authority to alter the kind of leave due and applied for except at the written request of the employee.
- ii) Employee shall hand over/take over charge of duty before proceeding on leave or at the expiry of leave in the proper format.

#### **16. EFFECT OF DISMISSAL, REMOVAL OR RESIGNATION ON LEAVE AT CREDIT**

Any claim to leave to the credit of an employee who is dismissed or removed or who resigns from service ceases from the date of such dismissal, or removal or resignation.

#### **17. COMMUTATION OF ONE KIND OF LEAVE INTO ANOTHER**

- i) At the request of an employee, the authority which granted his leave may commute it retrospectively into leave of a different kind which was due and admissible to him at the time the leave was granted; but the employee cannot claim such commutation as a matter of right.
- ii) The commutation of one kind of leave into another shall be subject to adjustment of leave salary on the basis of leave finally granted to the employee, that is to say, any amount paid to him in excess shall be recovered or any arrears due to him shall be paid.

#### **18. COMMENCEMENT AND TERMINATION OF LEAVE**

Except as provided in Rule 19 leave ordinarily begins on the day on which the transfer of charge is effected and ends on the day preceding that on which the charge is resumed.

#### **19. COMBINATION OF HOLIDAYS WITH LEAVE**

- (1)
  - i) When the day, immediately preceding the day on which an employee's leave other than leave on medical certificate) begins or immediately following the day on which his leave expires, is a holiday or one of a series of holidays, the employee shall be deemed to have been permitted (except in cases where, for administrative reasons, permission for prefixing/suffixing holidays to leave is specifically withheld) to leave his station at the close of the day before or return to it on the day following such holiday or series of holidays, provided that his transfer or assumption of charge does not involve the handing or taking over of securities or moneys other than a permanent advance.
  - ii) In the case of leave on medical certificate:-
    - a) When an employee is certified medically unwell to attend office, holiday(s) if any immediately preceding the day he is so certified shall be allowed automatically to be prefixed to leave and the holiday(s) if any immediately succeeding the day he is so certified including that day) shall be treated as part of the leave; and
    - b) When an employee is certified medically fit for joining duty, holiday(s), if any, succeeding the day so certified (including that day) shall automatically be allowed to be suffixed to the leave, and holiday(s), if any, preceding the day he is so certified shall be treated as part of the leave.
    - c) When an employee joins duty after completion of the course/training outside the Institute, he shall produce an authenticated certificate of completion of training. If he fails to do so, the period of training/course shall be treated as extraordinarily leave.
- (2) On condition that the departing employee remains responsible for the money in his charge, the Head of Institute may, in any particular case, waive the application of clause (i) of sub-rule (1).
- (3) Unless the authority to grant leave in any case otherwise directs:-
  - a) if holidays are prefixed to leave, the leave and any consequent re-arrangement of pay and allowances take effect from the day after the holidays; and
  - b) if holidays are suffixed to leave the leave is treated as having terminated and any consequent re-arrangement of pay and allowances takes effect from the day on which the leave would have ended if holidays had not been suffixed.

**Note:** A compensatory leave granted in lieu of duty performed by an employee on Sunday or a holiday for a full day may be treated as a holiday for the above purpose.

## **20. RECALL TO DUTY BEFORE EXPIRY OF LEAVE**

- i) In case, an employee is recalled to duty before the expiry of his leave, such recall to duty shall be treated as compulsory in all cases and the leave from which he is recalled will be treated as on duty from the date on which he starts for the station to which he is ordered.
- ii) He will be paid leave salary, until he joins his post, at the same rate at which he would have drawn it but for recall to duty.
- iii) He will be paid travelling allowance under the rules for the time being in force.

## **21. RETURN FROM LEAVE**

- i) An employee on leave shall not return to duty before the expiry of the period of leave granted to him unless he is permitted to do so by the authority which granted him leave.
- ii) a) An employee who has taken leave on medical certificate may not return to duty until he has produced a medical certificate of fitness.  
  
b) In the case of an employee, the authority under which the employee is employed on return from leave may, in its discretion, accept a certificate signed by a Registered Medical Practitioner or Medical Superintendent, Kasturba Hospital, Gandhigram.
- iii) a) An employee returning from leave is not entitled in the absence of specific orders to that effect to resume as a matter of course the post which he held before going on leave.  
  
b) Such employee shall report his return to duty to the authority which granted him leave or to the authority, if any, specified in the order granting him the leave and await orders.

## **22. ABSENCE AFTER EXPIRY OF LEAVE**

- i) Unless the authority competent to grant leave extends the leave, an employee who remains absent after the end of leave is entitled to no leave salary for the period of such absence and that period shall be treated as extraordinary leave.
- ii) Wilful absence from duty after the expiry of leave renders an employee liable to disciplinary action.

### **23. PERSONS RE-EMPLOYED AFTER RETIREMENT**

In the case of a person re-employed after rendering service in any other Institution/Government, the provisions of these rules shall apply as if he had entered service for the first time on the date of his re-employment.

### **24. LEAVE/CASH PAYMENT IN LIEU OF LEAVE BEYOND THE DATE OF RETIREMENT OR QUITTING OF SERVICE**

- 1) No leave shall be granted to an employee beyond:-
  - a) the date of his retirement; or
  - b) the date of his final cessation of duties, or
  - c) the date on which he retires by giving notice to the Institute or he is retired by the Institute by giving him notice or pay and allowances in lieu of such notice in accordance with the terms and conditions of his service,
- 2) a) Where the Institute retires an employee on attaining the normal age prescribed for retirement under the terms and conditions governing his service, the authority competent to grant leave shall suo motu issue an order granting cash equivalent of leave salary for leave, if any, at the credit of the employee on the date of his retirement, subject to a maximum of 240 days.
  - b) The cash equivalent under clause (a) shall be calculated as follows and shall be paid in one lump sum as one time settlement.

Pay admissible on the date of retirement plus DA, HRA and CCA admissible on that day multiplied by number of days of unutilised earned leave at credit on the date of retirement subject to a maximum of 240 days and divided by 30.

- 3) a) Where the services of an employee are terminated by notice or by payment of pay and allowances in lieu of notice, or otherwise in accordance with the terms and conditions of his appointment, he may be granted suo motu, by the authority competent to grant leave, cash equivalent in respect of earned leave at his credit on the date on which he ceases to be in service subject to a maximum of 240 days.
  - b) An employee who is re-employed after retirement may, on termination of his re-employment, be granted suo motu by the authority competent to grant leave, cash equivalent in respect of earned leave at his credit on the date of termination of re-employment subject to a maximum of 240 days.

- c) The cash equivalent under clause (a) shall be equal to leave salary admissible for earned leave plus dearness allowance, HRA and CCA admissible on that leave salary at the rates in force on the date the employee ceases to be in service. The amount so calculated shall be paid in one lump sum as one-time settlement.

## **25. CASH EQUIVALENT OF LEAVE SALARY IN CASE OF DEATH IN SERVICE**

In case, an employee dies while in service, the cash equivalent of the leave salary that the deceased employee would have got had he gone on earned leave that would have been due and admissible to him but for the death on the date immediately following the death and in any case not exceeding leave salary for 240 days, shall be paid in the manner specified in Rule 24 without any reduction on account of pension equivalent of death-cum-retirement gratuity. The amount so due shall be paid to the legal heir of the deceased employee on production of a legal heir certificate.

## **26. PERMISSION TO LEAVE HEADQUARTERS**

If an employee seeks to leave headquarters (Gandhigram), on leave or on a holiday, he should intimate the fact in writing to the concerned authorities.

## **27. SURRENDER OF LEAVE WHILE IN SERVICE**

- i) This facility is admissible to all employees on completion of 12 months of service.
- ii) An employee may surrender earned leave while on duty, while on EL, while on UEL on MC or EOL with MC. This facility is not admissible while on suspension, UEL on Private Affairs and EOL without MC.
- iii) An employee may surrender not exceeding 15 days in a year.
- iv) This facility is available on Foreign Service also.

## **28. PROCEDURE FOR GRANT OF LEAVE**

- a) An employee, shall, before proceeding on leave, make an application to the Director and also state in writing his address while on leave and shall keep the Institute informed of any subsequent change in his address. In the case of the Director, he shall send his application for leave to the Chairman.
- b) The application for leave other than leave on medical grounds and casual leave should be sent normally 10 days before the commencement of leave. In special circumstances this rule may be relaxed on merits of each case.
- c) The Institute shall maintain a leave account of all types of leave in respect of every employee in the form prescribed in Tamil Nadu Leave Rules.

## 29. LEAVE SALARY

Leave salary admissible during various kinds of leave is detailed below :

<u>S.No.</u>	<u>Nature of Leave</u>	<u>Pay</u>	<u>Allowance</u>
1.	Earned leave	Full	Full
2.	Unearned leave on Medical Certificate	Full	Full
3.	Unearned leave on Private Affairs	Half	With full allowance
4.	Maternity leave	Full	Full
5.	Special Disability leave	Full for the first 120 days and half thereafter	Full for the first 120 days and half thereafter
6.	Study leave	Half	D.A. at the rate applicable for the pay; HRA: Nil

Note: DA will be paid only if the employee is not in receipt of any allowance from the Training Institution.

## 30. APPLICATION OF TAMIL NADU LEAVE RULES

In respect of any matter for which no provision has been made in these rules, the provision contained in the Tamil Nadu Leave Rules as per the most recent amendment shall apply Mututis Mutandis to the employees of the Institute in so far as they are not inconsistent with the provisions of these rules.

## 31. AUTHORITY TO SANCTION LEAVE

The Director or any authority to whom the Director delegates power shall be the authority to sanction any kind of leave.