

DAV LEAVE RULES

17.1 REQUEST FOR LEAVE

The applicant should apply for leave on the proforma developed by DAV College Managing Committee. The application should have all details such as date of leave requested and date of joining back, valid reason for leave along with contact address during the period of leave and the kind of leave applied for. The Leave Sanctioning Authority in respect of all Staff, except the Head, will be the Chairman/Manager whereas the Head of the School will be the recommending authority but in case of Casual Leave, the Head will be the Sanctioning Authority.

In case of Head of the School, the Chairman/Manager will be recommending authority and the DAVCMC will be the sanctioning authority if the leave applied is for more than eight days. In case of leave less than eight days, the Chairman/Manager will be the Sanctioning Authority and no recommending authority is required. The Sanctioning Authority will not sanction leave unless and until it is recommended by the recommending authority. The Head will ensure that the charge of the school is determined before he/she proceeds on any kind of leave.

(i) Format for sanction of leave of the Head of DAV Public/Model Schools at **Appendix-17a**.

(ii) Format for sanction leave to staff of DAV Public/Model Schools at **Appendix-17b**.

(iii) Format for Maternity Leave and Paternity Leave at **Appendix-17c**.

17.2 GENERAL PRINCIPLES

(i) Leave cannot be claimed as a matter of right.

(ii) The authority granting leave may arrange for the efficient discharge of duties of the absentee during his absence.

(iii) When the exigencies in the interest of the school so require, leave of any kind may be refused or revoked by the authority competent to grant it but it shall ordinarily not be open to the authority to alter the kind of leave due and applied for except at the written request of the employee.

(iv) 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, removal or resignation of the employee.

(v) Unless the Managing Committee, in view of the exceptional circumstances otherwise determines, no employee shall be granted leave of any kind for a continuous period exceeding three years.

(vi) Prefixing and suffixing holiday to leave shall be allowed automatically except in cases where for administrative reasons permission for prefixing/suffixing holidays to leave is specifically withheld. In the case of leave on medical certificate, if the day on which the employee is certified medically fit for rejoining duty happens to be holiday, he/she shall be automatically allowed to suffix such holiday(s) to his/her medical leave and such day(s) shall not be counted as leave.

(vii) An employee can be granted leave on medical certificate obtained from the authorized medical attendant. If the authority competent to grant leave is not satisfied with the veracity of any particular case, it shall be open to such authority to secure a second medical opinion from a medical officer of his/her choice.

(viii) In case of an employee who is recalled to duty before the expiry of leave, such recall of leave shall be treated as binding upon the employee.

(ix) An employee on leave shall not return to duty before the expiry of period of leave granted to him/her unless he/she is permitted to do so by the authority which granted him leave. An employee who has taken leave on medical certificate may not return to duty until he/she has produced a medical certificate of fitness.

(x) An employee on leave can not take up any service or employment elsewhere.

- (xi) Absence without leave or overstaying leave, including vacation unless satisfactorily explained, entails forfeiture of pay for such period as may be determined by the Local Managing Committee.
- (xii) The right to receive any allowance for the period of leave is contingent upon the employee's return to duty except in case of death.

17.3 CASUAL LEAVE

- (i) Casual leave is granted on full pay, if due.
- (ii) Eight Casual leaves are credited to the leave account on 1st January in a calendar year. An employee joining duty after the first day of January shall be eligible for proportionate number of days of casual leave for remaining part of the calendar year.
- (iii) Not more than four days casual leave can be granted to an employee at one time except under special circumstances to be recorded specifically.
- (iv) Normally casual leave shall be applied for and got sanctioned from the competent authority before it is actually availed of except in unforeseen emergent circumstances.
- (v) Casual leave cannot be combined with Earned Leave or Half Pay Leave or vacation.
- (vi) Casual leave not availed in a calendar year cannot be carried over to the next year. Such leave shall lapse on 31st December of the year.
- (vii) Casual leave can be availed for half-day too.

17.4 EARNED LEAVE FOR VACATIONAL STAFF

The vocational staff may be granted Earned Leave as under:-

- (i) A vocational employee will be credited with five days of 'Earned leave' on the 1st of the January and July every year. The credit to be afforded will be reduced by 1/30 of any period of extraordinary leave availed and/or period of dies non during the previous half year subject to a maximum of five days. If appointed or ceased to be in service during the half year, the credit for that half year will be allowed at 5/6th day for each completed month of service likely to be rendered in that half year.
- (ii) The leave to the credit of the employee will be limited to 300 days. However, the 05 Earned Leaves to be sanctioned for the next half year after balance reaching 300, will be provisionally credited to the Earned Leave Account, to be availed by the employee during that half year. On completion of that particular half year, unused lying provisionally credited Earned leaves will be lapsed and the balance will remain at 300.
- (iii) In addition, if in any year, he/she does not avail any vacation or is prevented from availing more than 15 days of vacation, earned leave will be admissible to him/her in respect of that year as in the case of a non-vocational employee.
- (iv) If in any year, a vocational staff member is put to work during the vacations, he/she will be entitled to the Earned leave in such proportion that full vacation of 50 days esque the Earned Leave of 30 days. For example, if a vocational staff member works for 25 days during the vacation, he will be entitled for 15 days of Earned Leave as per the following computation :-

for 25 days during the vacation, he will be entitled for 15 days of Earned Leave as per the following computation :-

30 X 50 Number of days worked (i.e. 25) = 15 days E.L.

Earned Leave granted to Vocational Staff - 10 days

Earned Leave more to be granted in this case - 15 - 10 = 5 days

This incumbent shall be entitled for 15 days E.L. in that particular session.

This proportionate earned leave is not admissible to temporary employee for the first year of their service.

NOTE:

- (1) Year for this purpose means twelve months of actual duty and not calendar year.
- (2) The non-availing of vacation should be due to general or special order of a higher authority asking him/her to forego the vacation.
- (3) Vacation can be combined with any kind of leave, except casual leave, subject to the condition that incumbent is present on duty either before the commencement of vacation or after the end of the vacation, and that the duration of vacation and earned leave should not exceed 180 days at a time.

17.5 EARNED LEAVE FOR NON-VACATIONAL STAFF

The non-vacational staff may be granted earned leave subject to the following provisions:-

- (i) Credit will be afforded in advance at a uniform rate of 15 days on the 1st of the January and 1st of July every year. The credit to be afforded will be reduced by 1/10th of extraordinary leave availed and/or period of dies non during the previous half year, subject to a maximum of 15 days.
- (ii) The leave to the credit of the employee will be limited to 300 days. However, the 15 Earned Leaves to be sanctioned for the next half year after balance reaching 300, will be provisionally credited to the Earned Leave Account, to be availed by the employee during that half year. On completion of that particular half year, unused lying provisionally credited Earned leaves will be lapsed and the balance will remain at 300.
- (iii) The credit for the half year in which an employee is appointed will be afforded at rate of 2½ days for each completed calendar month of service which he/she is likely to render in the calendar half year in which he/she is appointed.
- (iv) The credit for the half year in which an employee is due to retire or resigns from services will be afforded at the rate of 2½ days per completed calendar month in that half year up to the date of retirement/resignation.
- (v) The credit for the half year in which an employee is removed/dismissed from service or dies in service, will be afforded at the rate of 2½ days per completed calendar month up to the end of the calendar month preceding the calendar month in which he/she is removed/dismissed/dies.
- (vi) If an employee, who retires/resigns or is removed/dismissed or dies in the middle of a calendar year, has taken any extraordinary leave during that half year, the earned leave credit shall be reduced at the rate of 1/10th of such extraordinary leave.
- (vii) While affording credit, fraction of a day should be rounded off to the nearest day, i.e. 7½ days to be rounded as 8 days.
- (viii) Earned leave can be accumulated up to 300 days.
- (ix) Earned leave can be taken up to 180 days at a time.

17.6 HALF PAY LEAVE

No half pay leave is admissible to vacation staff. The non-vacational staff may be granted half pay leave as under:-

- (i) Half pay leave shall be credited to the non-vacational staff in advance at the rate of ten days on the 1st of January and 1st of July every year. The credit for the half year in which an employee is appointed will be at the rate of 5/3 days for each completed calendar month of service he/she is likely to render in the half year in which he/she is appointed. The half pay leave to be credited every half year will, however, be reduced at the rate of 1/18th of the period of dies-non/suspension treated as dies- non, during the previous half year, subject to a maximum of ten days.
- (ii) The credit for the half year in which an employee is due to retire/resigns will be afforded at the rate of 5/3 days for each completed calendar month in that half year up to the date of retirement/resignation.

(iii) The credit for the year half year in which an employee is removed/dismissed from service or dies in service will be afforded at the rate of 5/3 days per completed calendar month up to the end of the calendar month preceding the calendar month in which he/she is removed/dismissed/dies.

(iv) Half Pay Leave can be taken either with or without medical certificate provided there are sufficient grounds to the satisfaction of the sanctioning authority.

(v) Half Pay Leave is not admissible to an adhoc/temporary employee or one who is on consolidated pay.

17.7 COMMUTED LEAVE

(i) Half the amount of half pay due leave can be converted into full pay leave by taking it as 'commuted leave' if the leave applied for is on medical certificate.

(ii) Commuted Leave up to a maximum of 90 days can be taken during the entire service without medical certificate, if such leave is utilized for an approved course of study which is going to benefit in the disposal of the duties as a DAV staff.

(iii) Commuted Leave up to a maximum of 60 days can be taken during the entire service without medical certificate in continuation of maternity leave, provided it is due to her as per half pay leave account.

(iv) If Commuted Leave is taken, twice the number of days availed should be debited in the half pay leave account.

(v) Commuted Leave can be availed only on the medical grounds for the self.

17.8 EXTRAORDINARY LEAVE/LEAVE WITHOUT PAY

(i) Extraordinary Leave without pay and allowances may be granted to an employee in special circumstances:

(a) When no other leave is admissible.

(b) When other leave is admissible, but the employee applies in writing for the grant of extraordinary leave.

(ii) Extraordinary Leave without pay and allowances may be sanctioned to the confirmed employees keeping in view the exigencies of purpose subject to the following limitations :-

✓(a) Not more than three years leave could be sanctioned in total period of service of an employee

(b) Leave cannot be claimed as a matter of right.

(c) Leave without sanction or extension without sanction shall be treated as unauthorized absence and shall be liable to termination of service.

(d) No benefit of service shall accrue to the employee for the period he/she is on extraordinary leave.

17.9 MATERNITY/PATERNITY LEAVE

(i) Maternity Leave may be granted as under, to only married female employees with less than two surviving children. However, the twins shall be an exception to the counting of babies to two :-

(a) Pregnancy 180 days – during the pregnancy or immediately after the delivery of the baby but not later than a gap of 20 days after the delivery.

(b) Miscarriage/Abortion(induced or otherwise)–up to a total of 45 days in the entire service.

Still-born baby cases: In still-born baby cases, the female employee may be allowed maternity leave for a period of 90 days immediately after the delivery, but not later than a gap of 20 days subject to the condition that number of surviving children is not more than one i.e. the current was not an attempt for the third child.

(ii) A male employee with less than two surviving children may be granted Paternity Leave for period of 15 days during the confinement/delivery of his wife but not later than 20 days after the date of delivery.

NOTE:

- * Application should be supported by a certificate from a registered medical practitioner.
- * This leave is not debited to the leave account.
- * It is granted on full pay.
- * The benefit of this leave shall be available only after the concerned employee has put in at least nine months continuous service on regular basis.

(iii) Surrogacy cases : If a female employee wishes to get her baby delivered through a surrogate mother, though she herself does not need time to get her body recovered from postpartum fatigue or hormone changes which a mother needs when it is a typical motherhood, but it cannot be ignored that the newly born baby shall need utmost and intact care for the first 90 days.

As such, even in cases where a female-employee get her bay delivered through surrogate mother, the female-employee may be allowed maternity leave for a period of 90 days immediately after taking over the custody of the child but not later than a gap of 20 days after taking over the custody of the child, subject to the following conditions :-

- (a) The number of surviving children, including the newly born baby, is not more than two.
- (b) The surrogacy is executed with a proper and legally admissible deed as per the concerned State/Central Government rules. A copy of the Deed alongwith the concerned State/Central Government rules must be submitted by the concerned employee alongwith her application for maternity leave.
- (c) The employee has put-in atleast five years services on regular basis.
- (d) The custody of the baby has been legally taken over by the concerned female-employee.
- (e) The employee has been a conscientious one and there is no adverse entry in the Annual Performance Assessment Report of the employee for the last 3 years.

17.10 SPECIAL CASUAL LEAVE

Special Casual Leave may be granted to the employees permitted to absent themselves from duty for the following reasons:-

- (1) Sports Events—up to a maximum of 30 days in a calendar year for attending coaching or training camps and participation in sports events at regional and national levels. Also for participation in mountaineering/trekking expeditions subject to this overall limit.
- (2) Cultural Activities—up to 30 days in one calendar year for taking part in cultural activities inclusive of dancing and singing competitions at regional, national or international level.

17.11 EX-INDIA LEAVE (LEAVE WITH THE PURPOSE TO GO OUT OF INDIA)

Ex-India leave can be granted only if the incumbent has put-in at least 03 years service on regular basis. No employee of DAV should go out of the country without the prior approval of the DAVCMC. Whenever any staff member applies for leave for the purpose to go out of India, the case should be forwarded to the DAVCMC alongwith the Undertaking as per following language of Undertaking:

“I.....wife/daughter/son of.....who has been sanctioned leave for the period w.e.f. _____ to _____ for going abroad, hereby undertake to resume the duties immediately after the expiry of leave sanctioned to me. In case, I fail to resume duties on the expiry of sanctioned leave, this undertaking of mine be treated as my letter of resignation and I be relieved from the duties in terms of rules of DAVCMC. The salary for notice period be recovered from my dues.