

THE NORTH-EASTERN HILL UNIVERSITY ORDINANCES

OE-6

ON GOVERNING LEAVE TO TEACHERS OF THE UNIVERSITY

*Under Section 26 (1) (n) of the NEHU Act, 1973
Read with Statute 25*

A. PERMANENT TEACHERS

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|----------------------|----|-------|---|
| Kind of Leave | 1. | i | The following kinds of leave shall be admissible to permanent teachers: |
| | | a. | Leave treated as duty |
| | | (i) | Casual Leave, and |
| | | (ii) | Special Casual Leave |
| | | (iii) | Duty Leave |
| | | b. | Leave earned by duty |
| | | (i) | Earned Leave |
| | | (ii) | Half-pay Leave, and |
| | | (iii) | Commutated Leave |
| | | c. | Leave not earned by duty |
| | | (i) | Extra-ordinary Leave, and |
| | | (ii) | Leave not due |
| | | d. | Leave not debited to leave account |
| | | (i) | Leave for academic pursuits – |
| | | (a) | Study Leave, and |
| | | (b) | Sabbatical Leave |
| | | (ii) | Leave on grounds of health |
| | | (a) | Maternity leave |
| | | ii. | The Executive Council may, in exceptional cases grant for the reasons to be recorded, any other kind of leave subject to such terms and conditions as it may deem fit to impose. |
| Casual Leave | 2. | i | Total leave granted to a teacher shall not exceed eight days in an academic year. |
| | | ii. | Deleted |
| | | iii. | Casual leave cannot be combined with any other kind of leave, except special casual leave. It may be combined with holidays, including Sundays. Holidays or Sundays falling within the period of casual leave shall not be counted as casual leave. |

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Special Casual
Leave

3. i. Special casual leave, not exceeding ten days in an academic year, may be granted to a teacher:
- a. To conduct examination of a University, Public Service Commission/ Board of Examination or other similar bodies/institutions;
 - b. To inspect academic institutions attached to a statutory board etc.,
- NOTE :**
- (i) In computing the ten days' leave admissible, the days of actual journey, if any, to and from the places where activities specified above, take place, will be excluded.
 - (ii) In addition, special casual leave to the extent mentioned below may also be granted' (a) to undergo sterilization operation (vasectomy or salpingectomy) under family welfare programme. Leave in this case will be restricted to six working days; and
 - (a) to undergo sterilization operation (vasectomy or salpingectomy) under family welfare programme. Leave in this case will be restricted to six working days; and
 - (b) to a female teacher who undergoes non-puerperal sterilization. Leave in this case will be restricted to fourteen days.
 - (iii) Special casual leave cannot be accumulated, nor can it be combined with any other kind of leave except casual leave. It may be granted in combination with holidays or vacation.
- c. to do such other work as may be approved by the Vice-Chancellor as academic work.
- ii. Absence from duty and Headquarters during a semester:
- a. The entitlement to casual and special casual leave in each semester shall be limited to the extent of 50% of annual entitlement;
 - b. The total absence from headquarters intermittently during a semester on casual leave including journey days or other duty (like attending conferences, seminars, symposia on behalf of the University shall not be more than fifteen days in all (exclusive of holidays in between, if any). Provided that the Vice-Chancellor may allow in exceptional cases a teacher to go on duty on specific request being made and supported by the Head of the Department that suitable arrangements have been made for teaching etc., during his absence.

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- Duty Leave**
4. i. The duration of leave should be such as may be considered necessary by the sanctioning authority on each occasion.
- ii. Duty leave may be granted for
- Attending Conferences, congresses, symposia and seminars on behalf of the University or with the permission of the University.
 - Delivering lectures in institutions and University at the invitation of such institutions or Universities received by the University, and accepted by the Vice-Chancellor.
 - Working in another Indian or foreign University, any other agency, institution or organization, when so deputed by the University.
 - Participating in a delegation or working on a committee appointed by the Government of India, State Government, the University Grants Commission, a sister University or any other academic body, and also for attending meetings in the UGC, DST etc. where a teacher is invited to share expertise with academic bodies, government or NGO.
 - For performing any other duty for the University.
- iii. Duty Leave shall be sanctioned by the Vice-Chancellor.
- iv. The application for duty leave shall be recommended by the Head of the Department and forwarded by the Dean of the School to the Vice-Chancellor after taking into account, the academic needs of the Department/Centre. While recommending the application, the Head of the Department shall specify that alternative arrangements for the academic duties of the faculty member concerned shall be made, without asking for a substitute/extra academic position.
- v. Duty leave may be combined with earned leave, half pay leave or extraordinary leave.
- Earned Leave**
5. i. Earned leave admissible to a teacher shall be –
- $1/30^{\text{th}}$ of actual service including vacation plus $1/3^{\text{rd}}$ of the period, if any, during which he is required to perform duty during vacation.
 - Plus $1/3^{\text{rd}}$ of the actual teaching days in excess of minimum stipulation of 180 days may be credited to the Earned Leave account of the teachers.
- Note:** For purposes of computation of period of actual services, all periods of leave except casual and special casual leave shall be excluded.
- ii. Earned leave at the credit of a teacher shall not accumulate beyond 300 days with effect from 01.07.1997. The maximum earned leave that may be sanctioned at a time shall not exceed 120 days. Earned leave exceeding 120 days may, however, be sanctioned in the case of higher study or training or leave on medical certificate or when the entire leave or a portion thereof is spent outside India.

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- Note:** a. When a teacher combines vacation with earned leave the period of vacation shall be reckoned as leave in calculating the maximum amount of leave on average pay which may be included in the particular period of leave
- b. In case where only a portion of the leave is spent outside India, the grant of leave in excess of 120 days shall be subject to the condition that the portion of leave spent in India shall not, in the aggregate exceed 120 days.

- Half-Pay Leave 6.** Half-pay leave admissible to a permanent teacher shall be 20 days for each completed year of service. Such leave may be granted on medical certificate, private affairs or for academic purposes.

Note: A "completed year of service" means continuous service of specified duration under the University and includes periods spent on duty as well as leave including extra-ordinary leave.

- Commuted Leave 7.** Commuted leave not exceeding half the amount of half-pay leave due shall be granted on medical certificate to a permanent teacher subject to the following conditions:

- i. Commuted leave during the entire service shall be limited to a maximum of 240 days.
- ii. When commuted leave is granted, twice the amount of such leave shall be debited against the half-pay leave due; and
- iii. The total duration of earned leave and commuted leave taken in conjunction shall not exceed 240 days at a time.

Provided that no commuted leave shall be granted under this Ordinance unless the authority competent to sanction leave has reason to believe that the teacher will return to duty on its expiry.

Extra-Ordinary Leave

- 8.** i. A permanent teacher may be granted extra ordinary leave :-
- a. when no other leave is admissible; or
 - b. when other leave is admissible, the teacher applies in writing for the grant of extra-ordinary leave.

Provided, however, that save under the provision of sub-clauses (ii) to (iv) below, no extra-ordinary leave shall be granted to a teacher for holding an appointment or a fellowship outside the University.

- ii. The Executive Council may grant, on the request from the institution concerned and on application of the teacher, extra-ordinary leave to hold an appointment of a fellowship under a Government, a University, Research Institute or other similar important institutions, if in the opinion of the Executive Council such leave does not prejudice the interest of the University. This leave can be allowed only to a teacher who has been confirmed in the post held by him and has served the University for a period of at least three years.

Provided further that such leave shall not be granted until after the expiry of five years after return from a previous spell of extra-ordinary leave or three years after study or sabbatical leave.

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The application for such leave shall be sent through the Dean of the School concerned and the latter shall give his recommendations taking into account the strength of the teaching staff for the particular subject. Except in very special cases, at no time more than 20% of the strength of the teachers on rolls of a centre shall be allowed to be absent from the centre on extra-ordinary leave, study leave and/or sabbatical leave. For this purpose, the teachers shall be classified separately in two groups for consideration as follows :

- a. Professors and Associate Professors
- b. Assistant Professors.

In case of his failure to return to duty at the end of the period of leave sanctioned to him, the services of a teacher shall be liable to be terminated from the date of commencement of the period of leave granted to him. He shall also refund to the University, pay and allowances, if any, received by him during the leave (including other kinds of leave taken in continuation) sanctioned to him for the purpose.

- iii. a. The Executive Council may also grant, at its discretion, extra-ordinary leave to a permanent teacher who has been selected for a teaching or research assignment in a University, a Research Institute or other similar important Institution provide he has served the University for a period of at least three years and the application had been sent through and forwarded by the University;
- b. The leave in such cases shall not exceed a maximum period of two years;
- c. Notwithstanding any other leave which may be due to a teacher of the entire period for which the teacher holds the appointment outside the University shall be without pay; and
- d. The period so spent shall not be counted for increment but shall count for seniority. The period shall not also count for pensionary/contributory provident fund benefits unless the pension / contributory provident fund contributions are paid by the teacher or the foreign employer.

Provided that no such leave shall be granted until after the expiry of five years after return from a previous spell of extra-ordinary leave or three years after study or sabbatical leave. If the teacher does not resume his duties in the University at the end of the period of extra-ordinary leave granted to him, he shall be treated as having resigned the post held by him in the University.

- iv. Subject to the provisions of sub-clause (vii) below, the total amount of extra-ordinary leave granted to a teacher under sub-clause (ii) and (iii) above shall not exceed five years during his entire service.
- v. Extra-ordinary leave shall always be without pay. Payment of allowances during the period of extra-ordinary leave shall be governed by the relevant rules.
- vi. Extra-ordinary leave shall not count for increment except in the following cases;

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- a. Leave taken on medical certificate.
 - b. Cases where the Vice-Chancellor is satisfied that the leave was taken due to causes beyond the control of the teacher, such as inability to join or rejoin duty due to civil commotion or a natural calamity, provided the teacher has no other kind of leave to his credit.
 - c. Leave taken for prosecution of studies
 - d. Leave granted to accept an invitation to a teaching post or fellowship or research-cum-teaching post or an assignment for technical or academic work of importance.
- vii. Extra-ordinary leave may be combined with any other leave except casual leave and special casual leave provided that the total period of continuous absence from duty or leave (including periods of vacation) shall not exceed three years except in cases where leave is taken on medical certificate. The total period of continuous absence from duty shall in no case exceed five years in all.
- viii The authority empowered to grant leave may commute retrospectively period of absence without leave into extra-ordinary leave.
- Leave-not-due 9.**
- i. Leave not due may, at the discretion of the Vice-Chancellor, be granted to a permanent teacher for a period not exceeding 360 days during the entire service out of which not more than 90 days at a time and 180 days in all may be otherwise on medical certificate. Such leave may be debited against the half-pay leave earned by him subsequently.
 Provided that the teachers who are appointed on probation against substantively permanent posts be treated as 'Probationers' for the purpose of granting leave not due.
 - ii. Leave not due shall not be granted unless the Vice-Chancellor is satisfied that as far as it can reasonable be foreseen, the teacher will return to duty on the expiry of the leave and earn the leave granted.
 - iii. A teacher to whom leave-not-due is granted shall not be permitted to tender resignation from service so long as the debit balance in his leave account is not wiped off by active service, or he refunds the amount paid to him as pay or allowances for the period not so earned. In a case where retirement is unavoidable on account of reason of ill-health incapacitating the teacher for further service, refund of leave salary for the period of leave to be earned may be waived by the Executive Council.
 Provided that the Executive Council may, in any other exceptional case, waive, for reasons to be recorded, the refund of leave salary for the period of leave still to be earned.
- Study Leave 10.**
- i. Study leave may be granted after a minimum of 3 years of continuous service to pursue a special line of study or research directly related to her/his work in the University or research in interdisciplinary areas of study or to make a special study of the various aspects of University organization and methods of education.
 The paid period of study leave shall be for 3 years, but 2 years may be given in the first instance, extendable by one more year, if there is adequate progress as reported by the research Guide. The number of teachers given study leave shall not exceed

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20% of the total strength of the Department/Centres. For the purpose of calculation of the above percentage, teachers, both on study leave and sabbatical leave, shall be taken into account.

Provided that the Executive Council may, in the special circumstances of a case, waive the condition of three years service being continuous.

Explanation: In computing the length of service, the time during which a person was on probation may be reckoned provided there is no break in her/his service in the University.

- ii. Study leave shall be granted by the Executive Council on the recommendation of the concerned Head of the Department/Centres and the School Board. The leave shall not be granted for more than three years in one spell, save in very exceptional cases in which the Executive Council is satisfied that such extension is unavoidable on academic grounds and necessary in the interest of the University.
- iii. Study leave shall not be granted to a teacher who is due to retire within five years of the date on which she/he is expected to return to duty after the expiry of study leave.
- iv. Study leave may be granted not more than twice during one's career. However, the maximum of study leave admissible during the entire service shall not exceed five years.
- v. No teacher who has been granted study leave shall be permitted to alter substantially the course of study or the programme of research without the permission of the Executive Council. When the course of study falls short of study leave sanctioned, the teacher shall resume duty on the conclusion of the course of study unless prior approval of the Executive Council to treat the period of shortfall as ordinary leave has been obtained.
- vi. Subject to the provisions of sub Clauses (vii) &(viii) below, study leave may be granted on full pay up to two years, extendable by the one year, if there is adequate progress as reported by research guide.
- vii. The amount of scholarship, fellowship or other financial assistance that a teacher, granted study leave, has been awarded will not preclude her/his being granted study leave with pay and allowances but the scholarship, etc. so received shall be taken into account in determining the pay and allowance on which the study leave may be granted. The foreign scholarship/ fellowship will be offset against pay only if the fellowship is above a specified amount, which is to be determined on case to case basis from time to time a committee consisting to the Head of the concerned Department and the Finance Officer based on the cost of living for a family in the country in which the study is to be undertaken. In the case of an Indian fellowship, which exceeds the salary of the teacher, the salary would be forfeited.
- viii. Subject to the maximum period of absence from duty on leave not exceeding three years, study leave may be combined with earned leave, half-pay leave, extraordinary leave or vacation, provided that the earned leave at the credit of the teacher shall be availed of at the discretion of the teacher. A teacher, who is selected to a higher post during study leave, will be placed in that position and get the higher scale only after rejoining the post.

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- ix. A teacher granted study leave shall, on her/his return and rejoining the service of the University, be eligible to the benefit of the annual increment(s) which she/he would have earned in the course of time if she/he had not proceeded on study leave. No teacher shall, however, be eligible to receive arrears of increments.
- x. Study leave shall count as service for pension/ contributory provident fund, provided the teacher joins the University on the expiry of her/his study leave.
- xi. Study leave granted to a teacher shall deem to be cancelled in case it is not availed of within 12 months of its sanction.
Provided that where study leave granted has been so cancelled, the teacher may apply again for such leave.
- xii. A teacher availing herself/himself of study leave shall undertake that she/he shall serve the University for a continuous period equal to the period of study leave actually availed, from the date of her/his resuming duty after expiry of the study leave.
- xiii. After the leave has been sanctioned, the teacher shall, before availing herself / himself of the leave, execute a bond in favour of the University, binding herself/ himself for the due fulfillment of the conditions laid down in this ordinance and give security of immovable property to the satisfaction of the Finance Officer or a fidelity bond of an insurance company or a guarantee by a scheduled bank or furnish security of two permanent teachers for the amount which might become refundable to the University.
- xiv. The teacher shall submit to the concerned Dean of the School six monthly reports of progress in her /his studies through her/his Supervisor or the Head of the Institution. This report shall reach the Dean within one month of the expiry of every six months of the study leave. If the report does not reach the Dean within the specified time, the payment of leave salary may be deferred till the receipt of such report.
- xv. A teacher: (a) who is unable to complete her/his studies within the period of study leave granted to her/him or (b) who fails to rejoin the service of the University on the expiry of her /his study leave and leave for journey period, or (c) who rejoins the University but leaves the service without fulfilling the conditions laid down in this ordinance after the date of rejoining the service, or (d) who within the said period is dismissed or removed from the service by the University shall be liable to refund to the University the amount of leave salary, allowance and other expenses incurred on the teacher or paid to her /his behalf in connection with the course of study, or such amount as may be decided by the Executive Council from time to time.

Explanation: If a teacher asks for extension of study leave and if on such extension not being granted, she/he does not rejoin the University on the expiry of the leave originally sanctioned, she/he will be deemed to have failed to rejoin the service on the expiry of her/his the leave for the purpose of recovery of the dues under this Ordinance.

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Notwithstanding the above, the Executive Council may order that nothing in this Ordinance shall apply to a teacher who within three years on return to duty from study leave is permitted to retire from service on medical grounds.

Provided further that the Executive Council may, in any exceptional case, waive or reduce, for reasons to be recorded, the amount refundable by a teacher, or the period of continuous service as laid down in this Ordinance. The Executive Council may also extend the period of leave in exceptional exigencies for a suitable period.

- xvi. On return from study leave, the teacher shall report to the University, through the Head of the Department/Centres, the nature of her/his work and her/ his achievement(s). She/he shall also present a resume of her/his work in a School level seminar, specially organized for the purpose by the Head of Department/ Centre.
- xvii. The application for Study Leave should be sent through the Head of the department/Centre to the School Board concerned and the Head of the Department/Centre should give her/his recommendation taking into account the strength of the teaching staff for the particular subject. Except in very special cases, at no time more than 20 percent of the teachers on rolls shall be allowed to proceed on Study Leave/Extra-Ordinary Leave/or Sabbatical Leave.

- Sabbatical Leave 11.**
- i. Permanent whole time teachers of the University who have completed three years of service may be granted sabbatical leave to undertake study or research or other academic pursuits solely for the object of increasing their proficiency and usefulness to the University. This leave shall not be granted to a teacher who has less than three years of service in the University to retire.
 - ii. The duration of leave shall not exceed six months or one year according as the teacher has actually worked in the University for not less than three or six years respectively since his return from the earlier spell of sabbatical leave. Provided further that sabbatical leave shall not be granted until the expiry of three years from the date of the teacher's return from previous study leave or any other kind of training programme, or extra-ordinary leave under clause 8(ii) and (iii).
 - iii. The teacher shall execute a bond, with proper sureties as in the case of study leave, that after the expiry of sabbatical leave he will return to the service of the University and serve thereafter at least for three years, failing which he will refund to the University the leave salary and allowances and other expenses, if any, spent on him, or on his behalf plus such amount as may be decided by the Executive Council from time to time if the teacher is allowed to go abroad for sabbatical leave together with interest at the rate of 6% per annum to be calculated from the date of such payment. Provided that the Executive Council may, in any exceptional case, waive or reduce, for reasons to be recorded, the amount refundable by a teacher under this Ordinance.
 - iv. A teacher shall, during the period of sabbatical leave be paid full pay and allowances (subject to the prescribed conditions being fulfilled) at the rates applicable to him immediately prior to his proceeding on sabbatical leave. The University shall not, however, fill up the post or make other alternative arrangements involving additional expenditure.

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- v. A teacher on sabbatical leave shall not take up, during the period of that leave, any regular appointment under another organization in India or abroad. He may, however, be allowed to accept a fellowship or a research scholarship or ad-hoc teaching and research assignment with honorarium or any other form of assistance, other than a regular employment in an institution of advanced studies, provided that in such cases the Executive Council may, if it so desires, sanction sabbatical leave on reduced pay and allowances.
- vi. During the period of sabbatical leave, the teacher shall be allowed to draw the increment on the due date. The period of leave shall also count as service for purposes of pension/contributory provident fund provided the teacher rejoins the University on the expiry of his leave.

- Note:**
- a. The programme to be followed during sabbatical leave shall be submitted to the University for approval along with the application for grant of leave.
 - b. On return from leave, the teacher shall report to the University the nature of studies, research or other work undertaken during the period of leave. He shall also present a resume of his work in a School-level seminar specially organized for the purpose by the Head of the Department.

- Maternity Leave**
- 12. i. A woman teacher with less than two surviving children may be granted Maternity leave for a period of 135 days from the date of confinement or the date of delivery whichever is earlier. Maternity leave may also be granted in case of miscarriage including abortion subject to the condition that the leave applied for does not exceed six weeks in all or does not extend beyond six weeks of the date of miscarriage and the application for leave is supported by a Medical Certificate.
 - ii.
 - a. Maternity Leave may be combined with leave of any other kind.
 - b. Notwithstanding the provisions contained in clause 7, any leave (including commuted leave) for a period not exceeding 60 days, applied for in continuation of maternity leave, may be granted without production of Medical Certificate.
 - c. Leave in further continuation of leave granted under sub-clause (ii) (b) above may be granted on production of a Medical Certificate for the illness of a female teacher. Such leave may also be granted in case of illness of a newly born baby, subject to production of medical Certificate to the effect that the condition the ailing baby warrant mother 's personal attention and that her presence by the baby's side is absolutely necessary.
- Paternity Leave**
- 13. i. Paternity leave of 15 days may be granted to a male teacher during the confinement of his wife, provided the limit is up to two children.
 - ii. Adoption leave may be provided as per the rules of the Central Government.
- Vacation**
- 14. i. Vacation may be taken in combination with any kind of leave except casual and special casual leave provided that vacation shall not be both prefixed and suffixed to leave.
 - ii. Except in special circumstances, vacation and earned leave taken together shall not extend beyond six months.

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- iii. When vacation falls between two periods of leave so as to result in a continuous period of absence from duty during the entire period, such vacation shall be treated as part of the leave.
- iv. For the vacation period, a teacher shall be entitled to the same pay as when on duty. A teacher will, however, be entitled only to half of such pay if he has given notice of resignation and the period of such notice expires during the vacation or within one month from the last day thereof.

B. TEACHERS APPOINTED ON PROBATION

- 15.** A teacher appointed as a probationer against a substantive vacancy and with definite terms of probation shall, during the period of probation, be granted leave which would be admissible to him if he hold his post substantively otherwise than on probation. If for any reason it is proposed to terminate the services of a probationer, any leave granted to him should not extend beyond the date on which the probationary period expires or any earlier date on which his services are terminated by the orders of the Executive Council. On the other hand, a teacher appointed 'on probation' to a post, not substantively vacant, to assess his suitability to the post, shall, until he is substantively confirmed, be treated as a temporary teacher for the purpose of grant of leave. If a person in the permanent service of the University is appointed on probation' to a higher post he shall not, during probation, be deprived of the benefit of leave rules applicable to his permanent post.

C. TEMPORARY TEACHERS

- 16.** Temporary teachers shall be governed by the provisions of part (A) of these Ordinances subject to the following conditions and exceptions :
- Earned Leave**
 - i. a. A temporary teacher shall be entitled to earned leave as a permanent teacher except that in respect of the first year of his service he shall be entitled to earned leave as follows:
 - (i) 1/60th of the period of actual service, plus
 - (ii) 1/3rd of the period, if any, during which he is required to perform duty during vacation.
 - b. A temporary teacher appointed without interruption of duty substantively to a permanent post will be credited with the earned leave which would have been admissible if his previous duty had been in permanent employ, diminished by any earned leave already taken. Leave is not interruption of duty for the purpose of this Ordinance.
 - Half-Pay Leave**
 - ii. No half-pay leave may be granted to a temporary teacher unless the authority competent to sanction leave has reason to believe that the teacher will return to duty on the expiry of such leave.
 - Commutated Leave**
 - iii. Temporary teachers shall not be entitled to commute any portion of the half-pay leave.
 - Extra-Ordinary Leave**
 - iv. In the case of a temporary teacher the duration of extra-ordinary leave on any occasion shall not exceed the following limits :
 - a. Three months at a time;

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- b. Six months in case where the teacher has completed three years continuous service and the leave application is supported by a medical certificate;
- c. Eighteen months where the teacher is undergoing treatment in a recognized hospital for tuberculosis, cancer or leprosy;
- d. (i) Twenty-four months in cases where the leave is required for prosecuting studies, certified to be in the University's interest, provided that the teacher has completed three years' continuous service on the date of commencement of extraordinary leave. In cases, where this condition is not satisfied, extra-ordinary leave to this extent may be sanctioned in commutation of any other kind of leave due and applied for (including three months extra-ordinary leave under (a) above) if the teacher completes three years continuous service on the date of expiry of such leave.
- (ii) When a temporary teacher fails to resume duty on the expiry of the maximum period of extra-ordinary leave granted to him or where a teacher who is granted a lesser amount of leave remains absent from duty for any period which together with the extra-ordinary leave granted exceeds the limit up to which he could have been granted such leave under (a) above, he shall, unless the Executive Council in view of the exceptional circumstances of the case otherwise determine, be deemed to have resigned his appointment and shall accordingly cease to be in the University employ.

**Leave Not-due,
Study Leave &
Sabbatical Leave**

v. Temporary teachers shall not be entitled for the grant of leave-not-due, study leave and Sabbatical leave.

Vacation

- vi. a. A teacher who is appointed as a temporary measure shall be entitled to pay for the following winter vacation only if he joined duty within two months of the beginning of the academic year and has worked continuously and satisfactorily from the date of joining up to the last working day of the session.
- b. In other cases, the vacation salary may be paid to the teacher, if the temporary appointment continues for a part of whole if the next academic year and the teacher joins on the opening day and has also served on the least working day before the vacation.

D. TEACHERS APPOINTED ON CONTRACT

- 17. Teachers appointed on contract shall be granted leave in accordance with the terms of the contract.

E. HONORARY AND PART-TIME TEACHERS

- 18. Honorary and part-time teachers of the University shall be entitled to leave on the same terms as are applicable to whole-time temporary teachers of the University.

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F. GENERAL

Leave how Earned	19. i. Leave is earned by duty only. The period spent in foreign service counts as duty if contribution towards leave salary is paid for such period.
	ii. a. Leave cannot be claimed as a matter of right. Leave of any kind may be refused or revoked by the competent authority empower to granted it without assigning any reason, if that authority considers such action to be in the interest of the University. b. No leave shall be granted to a teacher when a competent authority has decided to dismiss, remove or compulsorily retire from service nor shall any leave be granted to a teacher when he is under suspension.
Maximum Period of Absence from Duty on leave	iii. a. No teacher shall be granted leave of any kind for a continuous period exceeding three years. Provided that a teacher selected as member of the Parliament/State Assembly may be granted extra ordinary leave for five years. b. Where a teacher does not resume duty after remaining on leave for continuous period of three years or where a teacher after the expiry of his leave remains absent from duty, otherwise than on foreign service or on account of suspension, for any period which together with the period of leave granted to him exceeds three years, he shall, unless the Executive Council, in view of the exceptional circumstances of the case otherwise determines, be deemed to have vacated his position from the date of his unauthorized absence.
Application for Leave.	iv. Leave should always be applied for in advance and the sanction of the competent authority obtained before it is availed of except in cases of emergency and for satisfactory reasons.
Commencement And termination Of leave	v. a. Leave ordinarily begins from the date on which leave as such actually availed of and ends on the day the teacher resumes his duty. b. Sundays and other recognized holidays may be prefixed and / or suffixed to leave with the permission of the authority competent to sanction the leave. Vacation may be combined with leave subject to the clauses 5,8 and 14 of this Ordinance.
Rejoining of Duty before the Expiry of leave	vi. a. A teacher on leave may not return to duty before the expiry of the period of leave granted to him unless he is permitted to do so b the authority which sanctioned him the leave. b. Notwithstanding anything contained in (a) above, a teacher on leave preparatory to retirement shall be precluded from withdrawing his request for permission to retire and from returning to duty save with the consent of the Executive Council.

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Leave on medical Grounds.

- vii. A teacher who applies for leave on medical grounds shall support his application with a medical certificate from an Authorised Medical Officer of the University or where no such Medical Officer has been appointed, from a Registered Medical Practitioner. The authority competent to sanction leave may, however, require the applicant to appear before a Medical Board.

Leave or extension of leave on medical certificate shall not be granted beyond the date a teacher is Pronounced by a Medical Officer or Board to be permanently incapacitated for further service.

Rejoining duty on return from leave on medical ground.

- viii. No teacher who has been granted leave (other than casual leave) on medical certificate shall be allowed to return to duty without producing a medical certificate of fitness.

Employment during leave

- ix. A teacher on leave shall not, without the written permission of the University taken in advance, engage directly or indirectly in any trade or business whatsoever or in any private tuition or their work to which any emolument or honorarium is attached but this prohibition shall not apply to work undertaken in connection with the examination of a University, Public Service Commission, Board of Education or similar Bodies/Institutions of to any literary work or publication or radio or extension lectures or with the permission the Vice-Chancellor, to any other academic work.

The leave salary of a teacher who is permitted to take up any employment during leave shall be subject to such restrictions as the Executive Council may prescribe.

Absence without leave or over stayal of leave

- x. Subject to provisions of clause 19 ii above, a teacher who absents himself without leave or remains absent without leave after the expiry of the leave granted to him, shall be entitled to no leave allowance or salary for the period of such absence. Such period shall be debited against his leave account as leave without pay unless his leave is extended by the authority empowered to grant the leave. Willful absence from duty may be treated as misconduct.

Leave beyond the date of retirement

- xi. No leave shall be granted beyond the date on which a teacher must compulsorily retire –
- a. Provided that if, in sufficient time before the date of retirement on superannuation, a teacher has been, in the interest of the University, denied in whole or in part any leave which was due to him and applied for as preparatory to retirement, then he may be granted after the date of retirement the amount of earned leave due to him on the date of superannuation subject to a maximum of 120 days. This limit may be extended up to 180 days if the entire leave or any portion thereof is spent outside India. Provided that when earned leave under this

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Ordinance, the period of such leave spent in India shall not in the aggregate exceed 120 days. The leave so granted including the leave granted to him between the date from which the leave preparatory to retirement was to commence and the date of retirement, shall not exceed the amount of leave preparatory to retirement, actually denied; the half-pay leave, if any, applied for as preparatory to retirement and denied in the exigencies of the University service may be exchanged with earned leave to the extent such leave was earned between the date from which the leave preparatory to retirement was to commence and the date of retirement.

- b. Provided further that a teacher ;
- (i) who after having been under suspension is reinstated within 120 or 180 days, as the case may be, preceding the date of his retirement on superannuation and was prevented by reason of having been under suspension from applying for leave preparatory to retirement, shall be allowed to avail of such leave as he was prevented from applying, 'Subject to a maximum of 120 or 180 days as the case may be, reduced by the period between the date of reinstatement and the date of retirement.
 - (ii) who attained age of superannuation while under suspension and was thus prevented from applying for leave preparatory to retirement shall be allowed to avail of the leave to his credit, subject to a maximum of 120 or 180 days, as the case may be after termination of proceedings as if it had been refused aforesaid, if in the opinion of the authority competent to order reinstatement, he has been fully exonerated and the suspension was wholly unjustified.
- c. Provided further that a teacher whose service has been extended in the interest of the University beyond the date of his superannuation may be granted leave as under:
- (i) During the period of extension any leave due in respect of the period of such extension and to the extent necessary, earned leave which would have been granted to him under sub-clause (a) above, had he retired on the date of superannuation;

Explanations: In determining the quantum of earned leave that could accumulate during the period of extension, the leave, if any, admissible under sub-clause (a) above, shall also be taken into account.
 - (ii) After the expiry of the period of the extension :
 - (a) After earned leave which could have been granted to him under sub-clause 9(a) above, had he retired on the date of superannuation diminished by the amount of such leave as was availed of during the period of extension; and
 - (b) earned leave earned during the period of extension and applied for as leave preparatory to retirement in sufficient time before the date to final cessation of his duties and refused in the interest of the University.

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Note: A teacher who avails himself of the refused leave in full or in part immediately after the date of his superannuation or on the expiry of extension of service will be deemed for purposes other than pensionary/contributory provident fund benefits and lien, to be in service till the expiry of the refused leave, he will retire and become eligible for all pensionary benefits as due to him on the date of superannuation (or on such other late date if any extension of service is granted) from the date of expiry of such leave only.

Leave to a teacher whose services are no longer needed (Terminal Leave)

- xii. a. The earned leave to the extent due (but not exceeding 120 days) may be granted at the discretion of Vice-Chancellor as terminal benefit to a teacher not employed on a contract basis whose services are terminated by the University on account of retrenchment or abolition of post before his attaining the age of superannuation, even if it has not been applied for and refused in the University interest. In cases where the teacher is relieved before the expiry of the notice period, such notice or the unexpired portion thereof should run concurrently with the leave granted.
- b. If a teacher resigns his post, he may not normally be granted either prior or subsequent to his resignation any leave. In cases, however, where the resignation is for reasons of health or for other reasons beyond his control, earned leave at his credit, but not exceeding 120 days, may be granted to him at the discretion the Vice-Chancellor. In other cases of resignation, half the amount of earned leave at his credit but not exceeding 60 days, may be allowed at the discretion of the Vice-Chancellor.
- In cases in which a prescribed period of notice is required to be given, the leave will be so granted as to cover as far as possible the period of notice required to be given.
- c. No terminal leave shall, however, be admissible in a case of dismissal or removal from the service

Conversion of One kind of leave To another

- xiii a. At a request of the teacher concerned, the University may convert retrospectively any kind of leave, including extra-ordinary leave, into a leave of different kind which was a admissible to him at the time the leave was originally taken; but he cannot claim such conversion as a matter of right.
- b. If one kind of leave is converted into another, the amount of, leave salary and the allowances admissible shall be recalculated and arrears of leave salary and allowances paid or the amount overdrawn recovered, as the case may be.

Increment during Leave

- xiv. If the increment of pay falls during any leave, other than casual leave, special casual leave, duty leave or sabbatical leave, the effect of increase of pay will be given from the date the teacher resumes duty without prejudice to the normal date of his increment, except in those cases where the leave does not count for increment.

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- Leave Year** xv. For the purpose of this Ordinance, unless otherwise specified, the term 'year' shall mean an academic year running from the commencement of the academic session to the end of the academic session.

Authorities empowered to sanction Leave

20. The authorities specified in column (2) of the table below are empowered to sanction leave to the extent shown in column (3) thereof. Cases for sanction of leave in excess of these limits or of leave mentioned below shall be submitted to the Executive Council. Before sanctioning the leave, the sanctioning authority shall ensure that the leave asked for is admissible and is at the credit of the teacher concerned.

Kind of leave	Sanctioning authority	Extent of power
(1)	(2)	(3)
(i) Casual Leave and Special Casual Leave		
(a) Dean of Schools	Vice-Chancellor	Full
(b) Heads of Centres/Heads of Departments	Dean of Schools	Full
(c) Other teachers	Heads of Centre/heads of Department	Full
(ii) Earned Leave, Half-pay Leave, Commuted Leave and Maternity Leave	Vice-Chancellor	Full
(iii) Extra-ordinary Leave	Vice-Chancellor	Upto 90 days
(iv) Leave-not-due	Vice-Chancellor	Full

- Leave Salary** 21. A teacher granted casual leave or special casual leave is not treated as absent from duty and his pay is not intermitted. During duty leave and sabbatical leave, a teacher will draw pay under the provisions of clauses 4 and 11 of this Ordinance, respectively. During other kinds of leave, a teacher shall be paid leave salary as under;

- i. Earned leave and Commuted leave :
Leave salary equal to the average monthly pay earned during the ten complete months immediately preceding the month in which the leave commences or the substantive pay to which the teacher is entitled immediately before the commencement of leave whichever is greater. Provided that the leave salary of a teacher who has been continuously officiating in another post for more than three years at the time he proceeds on leave shall be calculated as if he were the substantive holder of the post in for his officiating appointment in an equivalent or higher post.

Note: The three-year limit shall include :

- a. all period of leave during which a teacher would have officiated in the post but for his proceeding on such leave; and

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- b. all periods of officiating service rendered in an equivalent or higher post but for appointment to which he would have officiated in that post.
- ii. Half-pay leave and leave-not-due:
Leave salary equal to half of the amount specified against i. above.
- iii. Extra-ordinary leave:
Not entitled to any leave salary.
- iv. Study leave:
As admissible under clause 10 of this Ordinance and calculated as shown above.
- v. Maternity Leave and Quarantine Leave:
Pay drawn at the time of proceeding on leave. Subject to the provisions of clauses 10 of this Ordinance, payment of dearness, house rent and city compensatory allowance during leave shall be governed by the provisions of the rules regarding the payment of those allowances.

**Making of
rules under
this
Ordinance**

- 22.** The Vice-Chancellor may make rules under this Ordinance prescribing the procedure to be followed in :
- i. making application for leave and for permission to return to duty before the expiry of leave ;
 - ii. granting leave and submission of medical certificates while proceeding or returning from leave ;
 - iii. the payment of leave salary ;
 - iv. the maintenance of records of service; and
 - v. the maintenance of leave accounts.

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1. Amendment approved vide Executive Council resolution No.EC:76:92:05, dated 14.8.1992 and assented to by the Visitor vide MHRD Letter No.F.8-24/92-DESK(U) of 20th September 1995.
 2. Amendment to Clauses 2,4,5 & 12(i), and the new Clause 13 approved vide MHRD, GOI letter No.F.8-30/99/Desk(U) dt. 2.6.2000
 3. Clause 5(ii) amended vide EC:108:2000:6:6(v) & notified vide Conf/13-5/Ord/99-Vol.I/52 dt. 7.3.2001.

- Notes:** (1) The amendment to the Ordinance (OE-6) has been notified vide notification No.F.Conf/13-5/Ord/99(Vol.III)-681, dated 02 September, 2004.
- (2) Amended Ordinance on Casual leave and Special Leave approved vide Academic Council Resolution No:AC:79:2008:6:3:(i)and Executive Council Resolution No:EC:134:2008:6:3: (ii)
- (3) Notified Vide Notification No.Conf/13-5/ORD/99(Vol.III)-263 dated 12 September,2008.

6:3:2(1)

6:3: - Leave/Deputation:

- (ii) Proposed amendment to the Provision of Casual Leave and Special Casual Leave Provided in respect to teachers under Ordinance OE-6.

The Academic Council in its 79th meeting held on 30.5.2008 vide Resolution No: AC:79:2008:6:3:(i) considered the proposed amendment of the provision of Casual Leave and Special Leave OE-6 at Annexure 'A' and Resolved to approve the same with modification.

The matter is placed before the Council for consideration.

**ON GOVERNING LEAVE TO TEACHERS OF
THE UNIVERSITY**
Under Section 26(1) of the NEHU Act, 1973
Read with Statute 25

	Existing Provision	Proposed Amendment
Casual Leave 2 (i)	Total leave granted to a teacher shall not exceed eight days in an academic year.	2.(i) Total leave granted to a teacher shall not exceed eight days in an academic year.
(ii)	Casual leave cannot be combined with the mi-semester break/winter vacation or any other kind of leave except casual leave. It may be combined with holidays including Sundays. Holidays or Sundays falling within the period of casual leave shall not be counted as casual leave.	(ii) Casual leave cannot be combined with any other kind of leave, except special casual leave. It may be combined with holidays, including Sundays. Holidays or Sundays falling within the period of casual leave shall not be counted as casual leave.
Special Casual 3.(1)(i) Leave.	Special casual leave, not exceeding ten in an academic year, may be granted to a teacher:	3.(1)(i) Special casual leave, not exceeding ten in an academic year, may be granted to a teacher:
(a)	To conduct examination of a University, Public Service Commission/Board of Examination or other similar bodies/institutions;	(a) To conduct examination of a University, Public Service Commission/Board of Examination or other similar bodies/institutions;
(b)	To inspect academic institutions attached to a statutory board etc.	(b) To inspect academic institutions attached to a statutory board etc.
(c)	To participate in a literary, scientific, or educational conference, symposium or seminar or cultural or athletic activities conducted by bodies recognized by the University Authorities.	(c) To participate in a literary, scientific, or educational conference, symposium or seminar or cultural or athletic activities conducted by bodies recognized by the University Authorities.

		<p>NOTE</p> <p>(i) In computing the ten days' leave admissible, the days of actual journey, if any, to and from the places where activities specified above, take place, will be excluded.</p> <p>(ii) In addition, special casual leave to the extent mentioned below may also be granted'</p> <p>(a) to undergo sterilization operation (vasectomy or salpingectomy) under family welfare programme. Leave in this case will be restricted to six working days; and</p> <p>(b) to a female teacher who undergoes non-puerperal sterilization. Leave in this case will be restricted to fourteen days.</p> <p>(iii) Special casual leave cannot be accumulated, nor can it be combined with any other kind of leave except casual leave. It may be granted in combination with holidays or vacation.</p>
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(xxiii) Appointment of In-charge, NEHU, Health Centre.

NO:EC:134:2008:6:2:(xxiii): The Council considered the appointment of In-charge, NEHU, Health Centre, and **RESOLVED** to approve that Dr. V.S.V. Prasad, Specialist Grade-I continues as In-charge, Health Centre, NEHU, till he retires from service i.e. on 31.8.2009.

(xxiv) Headship of Physics Department.

NO:EC:134:2008:6:2:(xxiv): The Council considered the appointment of Dr. Y.S.Jain as Head of the Department of Physics as approved by the 118th Executive Council meeting held on 8.4.04 and since the appointment of Dr.Y.S.Jain, as Head of the Department did not materialize because of the embargo placed by the Court, the Council **RESOLVED** that the matter is invalidated and the appointment be cancelled.

(xxv) Headship of Computer Centre.

NO:EC:134:2008:6:2:(xxv): The Council considered the appointment of Prof. Y.S. Jain as Head of the Computer Centre and **RESOLVED** to approve the same. The Council also decided that remuneration rate of Rs.1500/- (Rupees fifteen hundred) only be granted to Prof. Y.S. Jain for holding additional charge in addition to his normal duties.

(xxvi) Appointment of Head, Department of Khasi.

NO:EC:134:2008:6:2:(xxvi): The Council considered the appointment of Head, Department of Khasi and **RESOLVED** to approve the appointment of Prof. S. Dkhar, as Head of the Department, with effect from the date of joining vice Prof. B. War expressing her inability to continue as HOD on health ground.

6:3: Leave/deputation.**(i) Grant of Study Leave in respect of Ms. Wandinicia Tariang
Department of Economics.**

NO:EC:134:2008:6:3:(i): The Council considered the extension for grant of study leave in respect of Ms. Wandinicia Tariang, Department of Economics, and **RESOLVED** to approve the extension for grant of study leave to Wandinicia Tariang, Department of Economics, with effect from 01.03.2008 as recommended by the Dean and the School Board respectively. The Council also **RESOLVED** that in granting or extension of study leave, rules of the University be strictly followed.

**(ii) Proposed amendment to the provision of Casual Leave
and Special Casual Leave provided in respect of teachers
under Ordinance OE-6.**

NO:EC:134:2008:6:3:(ii): The Council considered the proposed amendment to the provision of Casual Leave and Special Casual Leave provided in respect of teachers under Ordinance OE-6 and **RESOLVED** to accept the decision of the 79th Academic Council and approved the same.