

TEZPUR UNIVERSITY

STUDY LEAVE RULES FOR NON-TEACHING EMPLOYEES

(Approved by the Board of Management vide Resolution No. B.52/2008/1/3.6 dt. 13.05.2008)

1. Conditions for the Grant of Study Leave

1.1 Subject to the conditions hereinafter specified in these rules, Study Leave may be granted to a Non-teaching employee (i.e. a member of the administrative, ministerial, academic, technical, library, medical staff etc.) who is -

1.1.1 confirmed in service and has rendered not less than five years of continuous service in the University.

1.1.2 not due to retire or has not the option to retire from the University service within three years of his/her expected return to duty after the leave, and

1.1.3 who fulfills the minimum qualifications for admission to the course study.

1.2 Study leave may be granted to an employee with due regard to the need and exigencies of University service to enable him/her to undergo a special course of study including higher studies or specialized training, within the country or outside, in a subject relevant to his/her professional requirements.

1.3 Study Leave may also be granted:

1.3.1 for a training or study tour in which an employee may not attend a regular academic course provided such training or study tour is certified to be of definite advantage to the University from the point of view of public interest and is related to the sphere of duties of the employee concerned;

1.3.2 for studies which may not be closely or directly connected with the work of the employee but which are likely to widen his/her expertise in a manner that would improve his/her abilities as a University employee, and equip him/her better to interact with those employed in other Departments/Centers of the University, and

1.3.3. for the purposes of studies related to public administration in general and University administration in particular.

1.4 The above leave shall be granted subject to following conditions:

1.4.1 that the particular study, study tour or training is approved by the authority competent to sanction the study leave; and

1.4.2 that the employee be required to submit, on his/her return from leave, a full report on the work done by him/her while on study leave.

1.4.3 At no time, shall more than 5% of the strength of the employees on rolls of the departments/offices be allowed to avail of the Study Leave.

1.4.4 Study Leave may be granted to a Medical Officer for pursuing Post Graduate studies in medical sciences if it is certified by the competent authority that such studies would contribute to the enhancement of the officer's proficiency.

1.5 Study Leave may also be granted to a specialist or technical employee for pursuing postgraduate studies directly related to the sphere of his/her duties, provided the Head of office certifies that the course of study would enable the employee concerned to keep himself/herself abreast of the recent developments in the area of his/her work and improve his/her technical standards and competence to the benefit of the University.

1.6 Study leave shall not be granted unless it is certified by the competent authority that the proposed course of study shall be in the University interest.

Provided, however, leave for the pursuit of even purely academic subjects may be granted keeping in view of the requirement laid down by the University/University Grants Commission in respect of appointment/promotion of certain categories of staff (e.g. library staff) on the recommendation of the competent authority.

1.7 Study Leave for pursuing studies outside India shall not be granted for those courses where adequate facilities for studies exist in India.

1.8 Study leave may be granted only once in his/her entire service career.

1.9 Study Leave to a non-teaching employee shall not be considered as a "right" but be treated as the privilege of the University.

2. Authority Competent to grant Study Leave

Study Leave shall be granted by the Board of Management on the recommendation of the Study Leave Committee constituted for the purpose.

2.1 The Study Leave Committee for the non-teaching employees may be constituted as under:

Chairperson: The seniormost Dean

Members: Registrar, Finance Officer, and a Professor nominated by the Vice Chancellor

Convener: Deputy Registrar (Administration) or Assistant Registrar (Establishment)

3. Application for Study Leave

3.1 Application for Study Leave in the **prescribed format** shall be submitted through proper channel to the Chairperson, Study Leave Committee, at least six months before the date on which the employee intends to avail himself/herself of such leave.

3.2 The Committee shall, after scrutinizing the applications, forward them to the Vice-Chancellor along with its recommendations or with such other remarks as it may deem proper.

3.3 The concerned Committee in recommending cases of study leave shall take into account (i) the number of employees in the particular Department/Cadre, (ii) the recruitment of the University as a whole for specialist in the relevant fields of specialization (iii) the exigency of work (iv) the financial implications of each proposal and (v) any other factor which may have a bearing on the overall interest of the University.

4. Approval of particulars of Study

In the normal course, the employee should furnish the full particulars of the course of study which he/she intends to pursue and the place of study where such study is to be pursued, along with the application for the study leave. Where he/she is not able to do so at the time of application, he/she shall submit the particulars thereof as soon as possible and shall not, in any case, join course unless specific approval is given by the University. If, however, an employee joins a course of study without obtaining the prior approval of the competent authority of the University, he/she shall do so at his/her own risk and responsibility.

5. Length of Study Leave

Study Leave shall not be granted for more than two years save in very exceptional cases in which the Board of Management is satisfied that extension of leave is unavoidable and necessary in the interest of University, provided that the period of study leave shall in no case exceed three years including permissible leave in his/her account during the entire period of service of the employee.

6. Execution of Bond and submission of relevant certificates

6.1 Every employee who has been granted Study Leave, or extension thereof, shall be required to execute a bond in the form so prescribed before going on Study Leave, or extension thereof, pledging to serve the University for a period of not less than five years after rejoining service at the expiry of the study leave.

6.2 The Finance Officer shall be informed in writing to the effect that the employee who has been granted Study Leave has executed the requisite bond to enable him to release the salary of the employee, if payable, during the leave period.

6.3 On completion of the course of study, the employee shall submit to the Registrar proof of having undergone the course including certificates, if any, of examinations passed along with information showing the date of commencement and termination of the course of study with remarks, if any, of the Institution where the study is undertaken.

Note: Where the leave is granted for studies abroad, the Head of the Indian Diplomatic Mission concerned should be informed by the University of the fact of granting leave. The employee shall contact the Head of the Mission for issue of any letters of introduction or for other similar facilities that may be required.

7. Accounting of Study Leave and its combination

7.1 Study Leave shall not be debited against the regular leave account of the employee but the fact of having granted such leave shall be recorded in the Service Book of the employee.

7.2 Study Leave cannot be combined with other kind of leave.

8. Regulation of Study Leave extending beyond the course of study

When the course of studies falls short of the Study Leave granted to an employee, he/she shall resume duty on its completion, unless the previous sanction of the authority competent to grant leave has been obtained to avail the entire period of leave granted to him/her. Provided, however, that the period beyond the completion of the course shall be treated as ordinary leave.

9. Increments during Study Leave

9.1 The Study Leave shall count for increment, and for the benefit of Provident Fund but not for accumulating other kinds of leave. The increment falling due during the Study Leave shall be allowed with retrospective effect after the employee resumes duty. Study Leave with pay (whether full or half) will count as service for pension provided the employee rejoins duty on expiry of the Study Leave granted to him/her.

9.2 Any extra qualifications acquired during the Study Leave will not confer any right on the employee to claim advance increment of salary, promotion etc.

10. Payment of Salary

10.1 Full pay shall be paid during Study Leave.

10.2 An employee shall not ordinarily be entitled to House Rent Allowance or City Compensatory Allowance during the period of Study Leave, provided that the Vice-Chancellor may, in view of the special circumstances of a case, sanction the payment of such allowance in part or in full.

10.3 The amount of scholarship, fellowship or any other financial assistance that an employee on Study Leave may be awarded will not preclude his/her being granted Study Leave with full/half pay and allowances but the scholarship etc., so awarded shall be taken into account in determining the pay and allowances to be paid during the Study Leave.

10.4 If an employee on Study Leave is permitted to receive and retain any remuneration in respect of part-time employment during the period of Study Leave, he/she shall not ordinarily be granted any Study Leave salary but in cases where the amount of remuneration received in respect of part-time employment is not considered adequate, the Board of Management may determine the Study Leave salary payable in each case.

Note: It shall be the duty of the employee who has been granted Study Leave, to communicate immediately to the University the financial assistance in any form received by him during the course of Study Leave from any person or Institution whatsoever.

11. Payment of Study Allowance

11.1 Study allowance to be fixed as per UGC rules may be sanctioned to an employee who has been granted Study Leave for studies outside India for the period spent in pursuing a specific course of study including examination, if any, at the end of the course of study at a recognized institution or in any tour of inspection or in any special type of work.

11.2 Where the employee has been permitted to receive and retain, in addition to his leave salary, any scholarship, fellowship, stipend or any other financial assistance out of a Government or non-Government source, or any other remuneration in respect of any part-time employment:

11.2.1 No study allowance shall be admissible in case the net amount of such scholarship or stipend or remuneration (arrived at by deducting the cost of fees, if any, paid by the employee out of the scholarship, fellowship, stipend or remuneration) exceeds the amount of study allowance otherwise admissible; and

11.2.2 In case the net amount of scholarship or stipend or remuneration is less than the study allowance otherwise admissible, the difference between the value of the net scholarship, fellowship, stipend or any other remuneration in respect of any part-time employment and the study allowance may be granted by the authority competent to grant leave.

11.3 Study allowance shall not be granted for any period during which the employee interrupts his/her course of study to suit his/her own convenience:

Provided that the authority competent to sanction Study Leave may authorize the grant of study allowance for a period not exceeding 14 days at a time during which the employee is prevented by sickness from pursuing his/her course of study.

11.4 Study allowance shall also be allowed for the entire period of vacation (if permissible) during the course of study subject to the conditions that

11.4.1 The employee attends, during vacation any special course of study or practical training with the permission of the University: or

11.4.2. In the absence of any such permission, he produces satisfactory evidence before the University, that he has continued his studies during the vacation:

Provided that in case of vacation falling at the end of the course of study, Study Allowance shall be allowed for a maximum period of 14 days.

11.5 The period for which study allowance may be granted shall be determined keeping in view the needs of the course of study or for 36 months, whichever is less.

11.6 The rates of study allowance payable to an employee shall be such as may be prescribed by the University from time to time for its employees.

11.7 Payment of study allowance shall be subject to furnishing of a certificate by the employee to the effect that he/she is not in receipt of any scholarship or stipend or remuneration in respect of any part-time employment, unless he/she has been permitted to accept it, in addition to study allowance.

11.8 Study allowance shall be paid at the end of every month provisionally subject to an undertaking in writing being furnished by the employee that he/she would refund to the University over-payment, if any, consequent on his/her failure to produce the required certificate of attendance or on his/her failure to satisfy the University about the proper utilization of the time spent for which study allowance is claimed.

11.9 In case where a specific course of study is pursued at a recognized institution the study allowance shall be paid by the University, and on claims submitted by the employee from time to time supported by a proper certificate of attendance from the institution concerned.

11.10 The certificate of attendance to be submitted in support of the claims for study allowance shall be forwarded to the University at the end of the term, if the employee is undergoing study in an educational institution or at intervals not exceeding three months if he/she is undergoing study at any other institution.

11.11 Where it is not possible to forward to the University information about attendance referred to in sub-rule 11.10, the employee shall submit to the University a report.

11.12 The University after considering the report shall decide whether the time of the employee has been properly utilized and also determine for what period study allowance may be granted.

12. Admissibility of Allowance in addition to Study Allowance

No allowance of any kind other than the dearness allowance and study allowance, where admissible, shall be payable to an employee during the period of Study Leave granted to him/her.

13. Traveling Allowance

An employee granted Study Leave shall not ordinarily be paid traveling allowance. The Board of Management may, however, in exceptional circumstances, sanction the payment of such allowance.

14. Cost of Fees for Study

An employee granted Study Leave shall ordinarily be required to meet the cost of fees paid for the course of study. However, the Vice Chancellor may in exceptional cases sanction such fees:

Provided that in no case shall the cost of fees be paid to the employee who is in receipt of a scholarship, fellowship, or stipend or any remuneration in respect of a part-time employment.

15. Refund of amount owing to resignation or retirement after availing Study Leave

15.1 An employee

- a) who is unable to complete his/her studies within the period of study leave granted to him/her, or
- b) who fails to rejoin the service of the University on the expiry of his/her Study Leave, or
- c) who rejoins but leaves the service within five years of the date of rejoining, or
- d) who within the said period is dismissed or removed from service by the University,

shall be liable to refund to the University the amount of leave salary and allowances paid to him/her or any other expenses incurred on the employee or on his/her behalf in connection with the studies, together with interest thereon at the rate of interest that may be fixed by the Board of Management to be charged from the date of such payment:

Provided that if an employee has served the University for a period of not less than 30 months on return from Study Leave he/she shall refund to the University half of the amount calculated as above. In case the employee has been granted Study Leave without pay and allowances, he/she shall be liable to pay to the University an amount equivalent to his/her four months' pay and allowances last drawn as well as other expenses incurred by the University in connection with his/her studies, together with the interest thereon at the rate mentioned above.

Explanation:

If an employee asking for extension of Study Leave has been granted the extension and if he/she does not rejoin duty on the expiry of the leave originally sanctioned, he/she will be deemed to have failed to rejoin the service on the expiry of his/her leave for the purpose of recovery of the dues under this rules.

15.2 Notwithstanding the stipulations made in Clause 1 above, the Board of Management may grant exemption to an employee who within five years of return to duty from Study Leave is permitted to retire from Service on medical grounds.

Provided that the Board of Management may, in any other exceptional case, for reasons to be recorded, waive or reduce the amount refundable by an employee under this rule:

Provided further that the Board of Management may also grant exemption to an employee who, after return to duty from Study Leave, is deputed to serve in any statutory or autonomous body or institution under the control of the Government and is subsequently permitted to resign from the University service following his/her

permanent absorption in the said statutory or autonomous body or institution in the public interest.

15.3 The Study Leave availed of by such an employee as referred to in the above clause shall be converted into regular leave and debited to such leave account standing at his/her credit on the date on which the study leave commenced, any regular leave taken in continuation of Study Leave being suitably adjusted for the purpose and the balance of the period of Study Leave, if any, which cannot be so debited shall be treated as extra-ordinary leave.

15.4 In addition to the amount to be refunded by an employee under sub rule 15.1 he/she shall be required to refund any excess of leave salary actually drawn over the leave salary admissible on conversion of the Study Leave.

16. Miscellaneous

16.1 Study Leave granted to an employee shall be deemed to have been cancelled if it is not availed of within three months of its sanction provided that where study leave granted has been so cancelled the employee concerned may apply again for such leave after the lapse of one year.

Explanation:

The cancellation of leave owing the exigency of work or illness of the employee will be beyond the purview of this sub-rule.

16.2 Where any doubt arises as to the interpretation of these leave rules, it shall be referred to the Vice Chancellor for a final decision.

16.3 Where the Vice Chancellor is satisfied that the operation of any of these rules causes hardship in any particular case, he/she may, by order, for reasons to be recorded in writing, dispense with or relax the requirements of that rule to such extent and subject to such exceptions and conditions as he/she may consider necessary.

Provided that all such orders shall be reported to the Board of Management for ratification. Notwithstanding anything stated above, the CCS rules shall be referred to in case of any controversy or dispute arising out of the rules framed and interpretations thereof.

Sd/- A. K. Buragohain
Registrar