

## TELANGANA STATE TRADE PROMOTION CORPORATION LTD.

### LEAVE REGULATIONS 2015

#### **1. Short Title:**

These regulations may be called Telangana State Trade Promotion Corporation Ltd. Leave Regulations 2015.

#### **2. Application:**

These regulations shall be deemed to have come into force on the 27<sup>th</sup> of September, 2014 and shall apply to every full-time employee of the corporation, provided that nothing in these regulations shall apply to persons engaged on adhoc basis.

#### **3. Definitions:**

In these regulations unless the context otherwise requires -

- i) "Corporation" means Telangana State Trade Promotion Corporation Limited.
- ii) "Day" means a period of 24 hours beginning at midnight.
- iii) "Duty" means duty as an employee and includes all periods which the Corporation may by a regulation or a resolution declare as duty.
- iv) "Earned Leave" means leave earned under the Regulation 20.
- v) "Compensatory Leave" means leave admissible to an employee in consideration of his attending duty on any public holiday which may be availed of within a period of six months from the date of discharging duty on a public holiday.
- vi) "Employee" means a person employed by the Corporation, but does not include a person who is employed on the basis of daily wages or on casual basis or on part-time basis or outsourced or on contract.
- vii) (a) Pay means the amount drawn monthly by an employee including special pay or pay granted in view of his personal qualifications which has been sanctioned for a post held by him regularly or to which he is entitled by reasons of his position in a cadre and  
(b) "Half pay leave" means leave earned in no. of completed years of service.
- viii) "Leave" means any authorized leave of absence.
- ix) "Leave Salary" means monthly amount admissible to an employee who has been granted leave under these regulations.

- x) "Month" means a Calendar month. In calculating a period expressed in terms of months and days, complete calendar months, irrespective of the number of days in each month, should first be calculated and number of days calculated subsequently.
- xi) "Sick Certificate" means a certificate issued by a Competent Medical Officer to an employee who is unfit to attend duty.
- xii) "Competent Medical Officer" means the Medical Officer appointed or authorized to issue sick certificate to an employee under these regulations by the Board or the Managing Director as the case may be.
- xiii) "Completed years of service" means continuous service of the specified duration under the corporation and includes periods spent on duty as well as on leave including extraordinary leave.
- xiv) "Year" means a calendar year i.e. from 1st January to 31st December of each year.
- xv) "Probationer" means an employee appointed to a post whose work is to be watched for a specified period to declare him as a person fit to hold that post.
- xvi) "Approved Probationer" means an employee who has satisfactorily completed the period of probation prescribed for the said post.
- xvii) "COMPETENT AUTHORITY" in relation to the exercise of any power conferred by these regulations means the board or any other authority authorised in that behalf by a regulation or by a resolution of the board, subject to such conditions and limitations, if any, as may be specified.

#### **4. Maximum period of absence from duty:**

Unless the corporation, in view of the exceptional circumstances of the case, otherwise determine, no employee shall be granted leave of any kind for a continuous period exceeding five years.

#### **5. General Conditions:**

The following general principles shall govern the grant of leave to the employees:

- a) Leave is earned by duty or service
- b) It cannot be claimed as a matter of right

#### **6. Maintenance of Leave Account:**

A leave account shall be maintained in respect of each employee in which particulars of the various kinds of leave availed of by him, from time to time shall be entered by the authority charged with the responsibility of maintaining the employees leave account.

#### **7. Power to refuse or revoke leave.**

When the exigencies of service so require, the Competent Authority may, at its discretion, refuse or revoke leave of any description.

**8. Conditions for availing leave:**

Sanction of leave may not be presumed and leave asked for should not be availed of unless it has been sanctioned by competent authority in the manner herein provided.

**9. Lapse of leave on cessation of service:**

- a) All leave lapses at the time of retirement, death, discharge, dismissal, resignation or termination for any reason whatsoever.
- b) Leave may not be granted to an employee under suspension. The competent authority may, however, grant leave to an employee during the pendency of disciplinary proceedings.

**10. Authorities empowered to grant leave:**

- a) The power to grant leave shall vest in the Managing Director or any other officer authorised in that behalf by the Managing Director. All applications for leave shall be addressed to the authority empowered to grant leave.
- b) An employee who desires to obtain leave of absence, other than casual leave, shall apply in writing to the Managing Director or any other officer appointed for the purpose. Such application for leave shall be made not less than seven days before the date from which the leave is to commence, except in urgent cases of unforeseen circumstances including illness when it is not possible to do so.

**11. Extension of Leave:**

- (i) If an employee after proceeding on leave desires an extension thereof, he shall make an application in writing to the Competent Authority before expiry of leave sanctioned. Such application shall state the full postal address of the employee along with contact no. if any, and shall be made in sufficient time to enable the management to take necessary action thereon and send a reply to him before the expiry of the leave desired to be extended. A written reply either of the grant or refusal of extension shall be sent to the employee at the address given by him if such reply is likely to reach him before the expiry of the leave originally granted to him.
- (ii) No leave or extension of leave shall be deemed to have been granted unless an order to that effect is passed and communicated to the employee concerned.

**12. Absence without leave or Over Stayal of Leave:**

- i) An employee who is absent after the end of the leave of any kind is entitled to no leave salary for the period of such absence, unless the competent authority retrospectively sanctions or extends the leave, besides being liable for disciplinary action for such absence.
- ii) An employee who reports for duty after willful absence be admitted to duty and necessary disciplinary action as deemed fit may be taken against him under the Conduct, Discipline and Appeals Regulations of the Corporation, besides treating the period of absence as "Dies Non" for all purpose viz. increment, leave and gratuity.

**13. Obligation to furnish Leave address:**

An employee shall, before proceeding on leave, intimate to the competent authority, his address while on leave, and shall keep the said authority informed of any change in the address previously furnished.

**14. Return to duty before expiry of leave**

An employee 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 by the authority which granted him leave.

**15. Return to duty on expiry of leave**

Unless otherwise instructed to the contrary an employee returning to duty on the expiry of leave granted to him shall report at the place at which he was last stationed.

**16. Production of Medical Certificate**

The Competent Authority may require an employee who has availed himself of leave for reasons of health to produce a medical certificate of fitness before he resumed to duty even though such leave was not actually granted on a medical certificate.

**17. Limits of Jurisdiction**

No employee can leave his headquarters or the limits of his jurisdiction in anticipation of leave without permission of the competent authority.

**18. Kinds of Leave:** Subject to the provisions of these regulations the following kinds of leave may be granted to an employee: -

1. Casual Leave
2. Earned Leave
3. Half Pay Leave
4. Commuted Leave
5. Extra ordinary Leave
6. Maternity Leave
7. Special casual Leave
8. Study Leave

**19. Casual Leave:**

- i) An employee may entitled to Casual Leave upto a maximum of 15 days in each calendar year. Casual Leave may be combined with optional holidays or Sundays or other authorized holidays provided that the resulting period of absence from duty does not exceed 10 days.
- ii) The fact that a maximum has been fixed for the amount of Causal Leave which may be taken within a year does not mean that an employee is entitled to take the full amount of Casual Leave as a matter of course.

- iii) Ordinarily the previous permission of the sanctioning authority shall be obtained before taking such leave and when this is not possible the said authority shall be informed as soon as practicable in writing or if writing is not possible orally or through any person, of the employees absence from work, reason thereof and of the probable duration of such absence. In any event a written application shall be submitted to such authority latest on the day the employee resumes duty. In no case an employee take casual leave on frivolous grounds.
- iv) Casual leave is only intended to meet special or unforeseen circumstances for which provision cannot be made by exact rules. Public holidays and Sundays shall be prefixed or suffixed to casual leave with the previous permission of the officer granting such leave.
- v) An employee may be granted Casual Leave for half-a-day either for the first half or for the second half of the day.

The Managing Director will grant casual leave to the Officers and subject to such direction as may be issued by him, any officer authorized by the Managing Director on this behalf will grant casual leave to other employees as the case may be, working under them.

#### **20. Earned Leave:**

- i) The maximum amount of Earned Leave (EL) that may be granted to an employee in superior service shall be 120 days at a time.
- ii) The account of leave of each regular employee shall be credited with 30 days EL in two installments, 15 days each on the 1<sup>st</sup> January and 1<sup>st</sup> July every year.
- iii) The leave at the credit of the employee at the close of previous half year shall be carried forward to the next half year subject to the leave so carried forward plus the credit for that half year not exceeding the maximum limit to 300 days.
- iv) The credit afforded under clauses (i) above, shall be reduced by 1/10 of the period of Extra-ordinary Leave only availed of during the previous half year subject to a maximum of 15 days.
- v) When an employee is appointed on or after 1<sup>st</sup> January 2015 EL shall be credited to his leave account at the rate of 2½ days for each completed month of service which he is likely to render in the calendar half year in which he is appointed eg. if he is appointed on 13<sup>th</sup> March the number of completed months of his service in that half year will be 3 and the credit will be  $3 \times 2\frac{1}{2} = 7\frac{1}{2}$  days, rounded off to 8 days. If he is appointed on 20<sup>th</sup> April the number of completed months will be on 2 and credit will be  $2 \times 2\frac{1}{2} = 5$  days.
- vi) The credit for the half year in which an employee is due to retire or resigns from the service shall be accorded only at the rate of 2 ½ days for completed month in that half year up to the date of retirement / resignation. If in the case of an employee who resigns from the service the leave already availed of is more than the credit so due to him necessary adjustment shall be made in respect of leave salary over drawn.

- vii) When affording credit under the above method fractions of a day will be rounded off to the nearest day.
- viii) An employee who proceeds on Earned Leave is entitled to salary equal to the pay drawn immediately before proceeding on leave.
- ix) The order sanctioning EL or HPL to an employee shall indicate the balance of such leave at his credit.

#### **21. Encashment of leave:**

- i) An employee may be permitted to surrender straight away not more than 15/30 days EL once in 12/24 months interval, as the case may be, and receive leave salary and allowances in lieu of the leave so surrendered. The leave so surrendered shall be debited to the leave account of the employee.
- ii) Encashment of EL is allowed to an employee on his retirement from service to a maximum of 300 days.
- iii) The authority empowered to sanction EL will be competent to accept surrender of EL.
- iv) The cash equivalent of leave salary payable to an employee who dies in a harness shall be paid in full subject to a maximum period of 300 days or to the extent of EL at his credit whichever is less.
- v) Surrender of EL is permissible only from prospective date
- vi) If an employee avails or surrenders EL on 1<sup>st</sup> January / 1<sup>st</sup> July of any year the quantum of leave availed of/surrendered should be debited to his leave account first and the advance credit of EL as per eligibility due for that half year should then be added to his leave account.
- vii) The leave salary for the period of leave surrendered will not be liable to any deductions on account of Provident Fund subscriptions and repayment of any advances etc. to the Corporation or any dues to the Cooperative societies etc.

#### **22. Half Pay Leave:**

- a) The half pay leave admissible to regular employee for each completed year of service is 20 days whether he is on duty or leave including extra-ordinary leave.
- b) An employee on half pay leave on Medical Certificate or on private affairs is entitled to leave salary equal to half pay on the last date of duty prior to commencement of leave.

#### **23. Commuted Leave:**

- 1) Commuted Leave not exceeding half the amount of half pay leave due may be granted to a regular employee into leave on full pay in case of sickness duly supported by a "Medical certificate issued by a competent medical Officer subject to the following conditions:

- (i) Commuted leave is sanctioned on the basis of a Medical certificate.
  - (ii) Commuted leave during the entire service shall be limited to a maximum of two hundred and forty days.
  - (iii) when commuted leave is granted, twice the amount of such leave shall be debited against the half pay leave due.
- 2) No commuted leave may be granted under this regulation unless the authority competent to sanction leave has reason to believe that the employee will return to duty on its expiry.

Note:- When commuted leave is granted to an employee under this regulation and when the employee intends to retire or resign subsequently, the commuted leave should be converted to half pay leave and the difference between the leave salary in respect of commuted leave and half pay leave should be recovered from him. An undertaking to this effect should, therefore, be taken from the employee whenever commuted leave is sanctioned to him. In all cases of resignation and voluntary retirement refund of excess leave salary should be enforced, while in cases where he is compulsorily retired by reasons of ill health incapacitating him for further service or when he dies before resuming duty no refund should be enforced. The order sanctioning H.P.L. to an employee shall indicate the balance of such leave at his credit.

#### **24) Return to duty from leave on medical Certificate:**

An employee who has proceeded on leave on medical certificate may not return to duty without producing a medical certificate of fitness. The competent authority may require an employee who has availed of leave for reasons of health to produce a medical certificate of fitness even though such leave was not granted on medical certificate.

#### **25) Extra Ordinary Leave:**

- (1) Extra ordinary leave (EOL) may be granted to a regular employee in special circumstances:
  - a. when no other kind of leave is admissible, under these Regulations, or
  - b. When other leave being admissible, the employee concerned applies in writing for the grant of extraordinary leave.
- (2) Optional holidays and compensatory leave can be prefixed or suffixed to Extraordinary leave without pay and allowances and un-earned leave (leave on half average pay etc) if the competent authority is satisfied about its justification and orders accordingly. The salary for the prefixed holidays shall be as that of the previous day to prefixed holidays. As for holidays suffixed to leave, the leave availed is to be treated as terminated before the holidays, if they are authorised to be suffixed by the leave sanctioning authority.

When once the holidays are authorised to be suffixed they are treated as duty and duty pay is admissible for the holidays so suffixed.

- (3) An employee on extra-ordinary leave is not entitled to any leave salary. EOL does not count for increments. However, EOL taken on medical Certificate or for any other cause beyond control of the employee or for prosecuting higher scientific or technical studies with an undertaking to serve the Corporation on return from leave for a period of at least five years, shall be counted for increments.

## **26) Maternity Leave:**

- (1) The competent authority may grant maternity leave on full pay to married female employees for a period of not exceeding 180 days.

Explanation: The provisions of these regulations shall apply to the grant of maternity leave to a female employee with less than two surviving children in cases of confinement and shall apply to such leave in cases of miscarriage subject to the following motivations namely:

- (i) that the leave does not exceed six weeks; and
- (ii) that the application for the leave is supported by a certificate from the Registered Medical practitioner.

- (2) Leave of any other kind be granted in continuation of maternity leave, if the request for grant of such leave is supported by a Medical certificate.

Note: Regular leave in continuation of maternity leave may also be granted in case of illness of newly born baby, subject to the female employee producing a Medical certificate to the effect that the condition of the ailing baby warrants mother's personal attention and her presence by the baby's side is absolutely necessary.

## **27) Special Causal Leave:**

- (1) Male employees, who undergoes vasectomy, operation under the Family welfare programme will be eligible for special casual leave not exceeding six working days.
- (2) Female employees who undergo tubectomy operation whether puerperal or non- puerperal will be Eligible for Spl. C.L. not exceeding fourteen days.
- (3) Female employees who have insertions of intrauterine-contraceptive will be eligible for Spl.C.L. on the day of the I.U.D. insertion. Female employees who have reinsertion of Intra Uterus Devise shall be eligible for Spl.C.L. on the day of I.U.D. insertion.
- (4) Female employees who undergo salpingectomy operation after Medical Termination of pregnancy (M.T.P.) will be eligible for Spl.C.L not exceeding fourteen days.



- (5) Male employees, 'whose wives undergo either puerperal or non-puerperal tubectomy operation for the first time (under the Family welfare programme) will be eligible for Spl.C.L. for seven days, subject to the production of a Medical Certificate.
- (6) The Special Casual Leave should commence from the date of operation. There is no objection to any number of holidays (public or optional) being allowed to be prefixed and suffixed to Spl.C.L.
- (7) The employees may avail the intervening holidays in between two spells of Spl.C.L. of six days. He can combine ordinary C.L./ and/or compensatory leave also provided the period of absence of the employees on Spl.C.L. together with the public holidays etc., so permitted to be prefixed/suffixed and to combine ordinary C.L and/or compensatory leave should not exceed 10 days.
- (8) Male employees whose wives' undergo tubectomy Salpingectomy operation after Medical Termination of pregnancy (M.T.P.) will be eligible for Special Casual Leave up to seven days subject to the production of medical certificate stating that their wives have undergone tubectomy/salpingectomy operation after medical termination of pregnancy.
- (9) The employees who require special casual leave beyond the limits laid down for undergoing sterilization operation owing to the development of post-Operative Complications will be eligible for special Casual Leave to cover the period for which he or she is hospitalized on account of post operational complications, subject to the production of certificate from the concerned hospital authorities. In addition, the benefit of additional Special Casual Leave may also be extended to the extent of seven days in case of vasectomy operation and fourteen days in case of tubectomy operation to such employees who after sterilisation do not remain hospitalized, but at the same time if not found fit to go to work, subject to the production of a Medical Certificate from the appropriate authority in the concerned hospital/an authorised medical attendant.
- (10) Employees who undergo operation for recanalization will be eligible for Special Casual leave upto a period of Twenty one days or the actual period of hospitalization as certified by the authorised medical attendant whichever is less. In addition Special Casual Leave can also be granted for the actual period of the to and fro journey performed for undergoing this operation. The grant of Special Casual leave for recanalization operation without any commitment to the reimbursement of Medical expenses is subject to the following conditions:
  - (i) The operation should have been performed in hospital/Medical College/Institute where facilities for recanalization are available. If the operation is performed in a private hospital it should be one nominated by the Corporation for performing recanalisation operation.
  - (ii) The request for grant of Special Casual Leave is supported by a medical certificate from the doctor who performed the operation to the effect that hospitalisation of the employee for the period stipulated therein was essential for the operation and post operation recovery.
  - (iii) The concession indicated above is admissible to employees who:
    - (a) are married,or
    - (b) have less than two children, or

- 11) Special Casual Leave connected with sterilization, recanalization under family welfare programme may be suffixed as well as prefixed to regular leave or casual leave. However special casual leave should not be allowed to be prefixed both to regular leave and casual leave. Special Casual Leave should either be prefixed to regular leave or to casual leave and not both. Similarly, special casual leave may be suffixed either to regular leave or casual leave and not both. The intervening holidays and/or Sundays may be prefixed or suffixed to regular leave, as the case may be.

### **28) Special Casual Leave For Sports Events:**

The special leave not exceeding thirty days will be allowed only:

- (a) for participating in sporting events of national or International importance; and
- (b) when the employee concerned is selected for such participation.

### **29) Study Leave:**

- 1) Study leave on full pay may be granted to an employee if the Corporation is of opinion that such leave should be granted in the Corporation's interest to enable him to study scientific, technical or similar problems or to undergo special courses of instruction. Such leave shall not be debited against the leave account.
- 2) The study leave is not ordinarily granted to an employee having less than five years' service or within three years of the date of his retirement.
- 3) Study leave may be granted up to twelve months at a time and upto two years during entire service.
- 4) Study leave in combination with leave other than extraordinary leave or leave on Medical Certificate should not exceed twenty eight months.
- (5) Study leave will count as service for all purposes.

### **30) Unauthorized Employment During Leave:**

An Officer or employee of any rank, who is on leave or otherwise, should not take service or accept any employment or do any business which involves the receipt of fee, salary or honorarium, emoluments or profit directly, indirectly, without obtaining the previous sanction of the Managing Director or the Board of Directors as the case may be (through proper channel) and any contravention to this Rule shall result in the forfeiture of all privileges the employee may be entitled to, including the corporation's contribution to the provident fund.

**31) Commencement and end of leave:**

Leave ordinarily begins on the day on which charge is handed over or if charge is transferred in the afternoon, on the following day and ends on the day preceding that on which charge is resumed or that day if charge resumed on afternoon.

**32) Combination of leave:**

Casual Leave cannot be availed of in conjunction with any other kind of leave except special leave, if any, subject to this condition any kind of leave under these regulations can be granted in combination with or in continuation of any other kind of leave.

**33) Service counting for leave:**

An employee appointed to any substantive post on probation for a certain period will be entitled to casual and leave on medical grounds as if he held a substantive appointment. Unless otherwise stated, the earned leave will accrue from the date of joining duty provided he is confirmed at the end of the specified period of probation. This shall not apply to employees who have been on temporary service. If such employees are taken in regular service later, these regulations will apply to them from the date of absorption in regular service. While the employee is undergoing the period of probation, he will earn earned leave at the rate of 1/22 days and after completion of probation at 1/11 days.

**34) Earned Leave not accountable for termination of service:**

The unavailed portion of the earned leave to the credit of the employee shall not be accountable towards the period of notice required to be given by him with reference to his appointment orders.

**35) Provision for Officers Lent on Special Terms:**

Lent or contract officers will be governed in the matter of leave by such rules as are applicable to them by special terms and conditions under which their services are taken by the corporation. If there are no particular terms and conditions specified in their appointment orders, then the Corporation's regulations shall apply.

**36) Miscellaneous:****1) Relaxation of the provisions of the Requisitions:**

Notwithstanding anything contained in these regulations, the Board shall have power to deal with the case of any employee in such a manner as may appear to it to be just and equitable.

PROVIDED THAT while any such regulation is applicable to the case of an employee the case shall not be dealt within any manner less favorable to the employee than that provided by the regulation.

**2) The Managing Director may issue such orders not inconsistent with the provisions of these regulations as he may consider necessary to give effect to and carry out the purpose of the provisions of these regulations.**

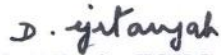
**37) Interpretation:**

Where doubt arises as to the interpretation of any provisions of the Regulations, it shall refer to the Managing Director whose decision thereon shall be final and binding.


**38) General:**

Wherever these regulations are silent, the provisions of Telangana State Leave Regulations/TS Fundamental Rules/TS State and Subordinate Service Rules and other Government rules shall apply.

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GM(Perl), TSIC

  
Dy. Secry. to Govt. I&C Dept.

  
Addl. Director O/o CoI