

ARTIFICIAL LIMBS MANUFACTURING CORPORATION OF INDIA (A GOVERNMENT OF INDIA UNDERTAKING) G.T. ROAD, KANPUR – 209217 (U.P.) INDIA

LEAVE RULES

1. The Leave Rules as framed hereunder shall be applicable to all the employees of the Artificial Limbs Manufacturing Corporation of India.

2. Kinds of Leave:

The employees shall be eligible for the following kinds of leaves, namely:

- (a) Earned Leave
- (b) Half Pay Leave
- (c) Leave Without Pay / Extra-ordinary Leave
- (d) Casual Leave
- (e) Special Casual Leave
- (f) Maternity Leave
- (g) Paternity Leave
- (h) Child Care Leave

3. General Conditions Governing Grant of Leave:

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

- a. Leave cannot be claimed as a matter of right. When the exigencies of the Corporation's service so required, the discretion to refuse, postpone, curtail or revoke leave of any description or to recall to duty any employee already on leave is reserved to the authority competent to grant it.
- b. All leave other than for which special provision has been made in the rules will lapse on the cessation of the employee's service in the Corporation whether as a result of discharge, dismissal, retirement or death or otherwise.
- c. An employee on leave shall not take up any other service or accept any employment elsewhere.
- d. Leave shall not be availed of without obtaining prior sanction of the competent authority. Applications for such sanction shall be submitted in writing to the competent authority in advance. In case where an employee is compelled to absent himself from duty on account of unforeseen circumstances without obtaining prior sanction, sanction for leave should be applied for at the earliest possible opportunity.

- e. An employee is expected to avail himself of leave granted fully before resuming duty and may not return to duty before the expiry of such leave except with the permission of the competent authority. **PROVIDED THAT** an employee who has been granted Casual Leave may at any time before the expiry of such leave re-join duty without availing himself of the full period of the Casual Leave sanctioned.
- f. An employee who remains absent after the end of his leave shall be entitled to no leave salary for the period of absence and the period of over-stayal shall be treated as Extra Ordinary Leave unless otherwise directed by the competent authority. An employee wilfully absenting from duty after the expiry of the leave shall also be liable to disciplinary action.
- g. Leave may be prefixed and/or suffixed to a holiday but holidays intervening during the period of leave shall except in the case of Casual Leave or Special Casual Leave, count as part of the leave.
- h. Leave begins from the day on which charge is handed over if such handing over takes place in the forenoon of that day or from the next day if such handing over takes place on the afternoon of that day. Leave ends on the day preceding that on which charge is resumed if such resumption takes place in the forenoon and on the day on which charge is resumed if such resumption takes place in the afternoon.
- i. Leave may be granted in combination with or in continuation of any other kind of leave. However, casual leave cannot be availed of in conjunction or combination with any other kind of leave except special casual leave.
- j. Unless otherwise provided, employees on deputation shall be governed by the leave rules applicable in their parent departments except in respect of casual leave/special casual leave.
- k. An employee before proceeding on leave shall intimate to the competent authority his address while on leave and shall keep the said authority informed of any changes in the address from time to time.

4. Earned Leave:

- a. Earned Leave shall accrue to an employee at the rate of one whole day for every Twelve days spent on duty. Duty for this purpose shall mean the period spent in the service of the Corporation excluding periods of leave of all kinds other than casual leave and special casual leave.
- b. The maximum period of Earned Leave which can be accumulated by the employee shall be 300 days. (Reference O.O.No.31/2007 dated 02 June,2007).

- c. The maximum Earned Leave which can be sanctioned at a time shall not exceed 60 days.
- d. Earned Leave will not be generally granted more than six times in a year. Every application for grant of Earned Leave should be submitted at least seven days before the commencement of the leave where the leave asked for is less than 15 days. If the leave asked for is more than 15 days, the leave application should be submitted 14 days before the commencement of the leave. Any relaxation to this rule, in special circumstances, may be done only with prior approval of CMD, ALIMCO.
- e. During Earned Leave, leave salary shall be drawn at the rate of pay drawn on the date preceding the day on which the employee proceeds on leave. Conveyance Allowance will not be paid during Earned Leave.

5. Half Pay Leave:

- a. Half Pay Leave shall accrue to an employee at the rate of one whole day for every 20 days on duty. Duty for this purpose shall mean the period spent in the service of the Corporation excluding periods of leave of all kinds other than casual leave and special casual leave.
- b. Half Pay Leave may be granted on medical grounds only.
- c. In case of illness of two days and above, an employee on production of Medical Certificate from the Registered Medical Practitioner may get half pay leave due to him commuted into full pay leave. The maximum period up to which half pay leave can be accumulated shall be 180 days
- d. No employee who had been sanctioned half pay leave on medical grounds shall be permitted to re-join duty without obtaining a fitness certificate from a Registered Medical Practitioner.
- e. During half pay leave, leave salary shall be drawn at the rate of half the pay drawn on the date preceding the day on which an employee proceeds on half pay leave. Conveyance Allowance is not payable during the period of this leave.
- f. Half the amount of half pay leave standing to the credit of an employee can be taken as full pay leave during leave preparatory to retirement without production of a Medical Certificate.
- g. Half Pay Leave under this clause 5 is not applicable to workmen covered under the ESI Scheme.
- h. The Corporation reserves the right to direct the employee to appear before a Medical Officer(s) to be nominated by the Corporation, for Medical

Examination. The decision of such a Medical Officer(s) shall be final and binding on the employee.

6. Extra – Ordinary Leave:

- a. Extra-Ordinary Leave may be granted to an employee who is on probation or confirmed when no other leave is admissible to him. Extra-Ordinary Leave will normally be granted for the following purposes:
 - (i) For treatment of diseases which require long period of treatment / hospitalisation or not attending the work as a requirement.
 - (ii) To meet certain unforeseen contingencies especially during the earlier stages when sufficient amount of leave has not been earned.
- b. **Limits:** Extra – Ordinary Leave shall not be granted on any one occasion in excess of the following limits:
 - (i) Three months.
 - (ii) Six months where the employee has completed three years' continuous service on the date of availing of the Extra-Ordinary Leave.
 - (iii) Twelve months where the employee has completed one-year continuous service and is undergoing treatment for cancer or a mental illness in an institution recognised for treatment of such diseases or by a civil surgeon or staff surgeon or a specialist in such diseases.
 - (iv) Eighteen months where the employee who has completed one year's continuous service is undergoing treatment for:
 - Pulmonary Tuberculosis or Pleurisy of Tubercular Origin in a recognised sanatorium.
 - Tuberculosis of any other part of the body by a qualified tuberculosis specialist or a civil surgeon or staff surgeon.
 - Leprosy in a recognised leprosy institution or by a civil surgeon or staff surgeon or a specialist in leprosy hospital recognised as such by the State Administrative Medical Officer concerned.
- c. Two spells of extra-ordinary leave, if intervened by any other kind of leave, should be treated as one continuous spell of extra-ordinary leave for the purpose of applying the maximum limits.

- d. The leave sanctioning authority may commute retrospectively periods of absence without leave into extra-ordinary leave.
- e. During extra-ordinary leave, the employee will not be eligible to draw his / her pay and allowances except compensatory allowances (such as CCA and HRA as per Central Government Rules).

7. Maternity Leave:

- a. Women who have completed 80 days in the 12 months immediately preceding the date of her expected delivery is entitled to maternity leaves for first two children for maximum of 26 weeks of which not more than 8 weeks shall be preceding the expected date of her delivery. This benefit could be availed by women for a period extending upto 8 weeks before the expected delivery date and remaining 18 weeks can be availed post childbirth.
- b. Women having 2 or more surviving children shall be allowed maternity leave of 12 weeks of which not more than 6 weeks should be before the expected date of her delivery (i.e., 6 weeks pre and 6 weeks post expected date of delivery).
- c. A woman who legally adopts a child below the age of three months or a commissioning mother shall be entitled to maternity benefit for a period of twelve weeks from the date the child is handed over to the adopting mother or the commissioning mother, as the case may be
- d. Maternity Leave for a period not exceeding 42 days may also be granted in cases of miscarriage subject to the condition that the application for such leave is supported by a Medical Certificate from a Registered Medical Practitioner. An employee shall not be granted Maternity Leave for absence on account of wilful termination of pregnancy.
- e. Maternity leave will be granted on the production of a certificate recommending its grant and period by an Authorized Medical Officer / Hospital.
- f. During Maternity Leave the employee will draw full leave salary as in the case of earned leave

8. Paternity Leave

- a. A male employee with less than two surviving children may be granted Paternity leave for a period up to 15 days in one spell during the confinement of his wife for childbirth i.e. up to 15 days before or up to 6 months after the delivery of a child on submission of documentary evidence.
- b. During the period he will be entitled for leave salary equal to pay drawn immediately before proceeding on leave.

- c. The Paternity Leave may be combined with any other kind of leave and shall not be debited against leave account.
- d. The Paternity leave may not normally be refused under any circumstances. However, if not availed within specified period, shall be treated as lapsed

9. Casual Leave:

- a. Casual Employees Casual leave is admissible to the employees of the Corporation to the extent of 12 days in a calendar year.
- b. Employees joining the Corporation in the middle of a calendar year, Casual Leave admissible for that year shall ordinarily be proportionate to the number of months of service put in by him.
- c. No Conveyance Allowance is payable during Casual Leave.

10. Special Casual Leave:

Special Casual Leave up to a maximum of 5 days in a year may be granted to an employee at the discretion of the competent authority for participation in cultural, sports and other occasions.

11. Child Care Leave

- a) Child Care Leave (CCL) is admissible to the Women employees of the corporation.
- b) CCL may be extended to single male parents who may include unmarried or widower or divorced employees.
- c) CCL shall be admissible for two eldest surviving children only. It shall not be admissible if the child is more than 18 years of age (22 years in case of disabled child)
- d) CCL may be granted at 100% of the leave salary for the first 365 days and 80% of the leave salary for the next 365 days. Payment of leave salary shall be equal to the pay drawn immediately before proceeding on leave.
- e) For single female employee, CCL may be granted for six spells in a calendar year. However, for other employees, it shall be granted for a maximum of 3 spells in a calendar year.
- f) CCL should not ordinarily be granted during the probation period except in case of extreme situations where the leave sanctioning authority is fully

satisfied about the need of Child Care Leave to the probationer. It may also be ensured that the period for which the leave is sanctioned during probation is minimal.

- g) An employee on CCL may be permitted to leave headquarters with prior approval of leave sanctioning authority.
- h) An employee on CCL may proceed on foreign travel provided clearances from competent authority are taken in advance.
- i) CCL may not be granted for less than 5 days. In cases where employee applies for CCL, she should normally not be refused leave citing exigencies of work unless there are grave and extra-ordinary compelling circumstances that warrant refusal.
- j) The nature of CCL shall be like the earned leave and therefore Saturdays, Sundays and Gazetted Holidays etc. falling during the period of Leave would also be counted as CCL as in case of earned leave.
- k) CCL shall not be demanded as a matter of right and under no circumstances can any employee proceed on Child Care Leave without prior sanction of leave by the competent authority.
- l) The period of wilful absence or unauthorized absence shall not be converted into CCL.
- m) The period of earned leave or any other kind of leave already sanctioned or availed shall not be converted into CCL with retrospective effect.
- n) An application for grant of CCL by a woman employee already on Leave (other than CCL) within India or out of India, who submits her application for grant of CCL may be considered provided she submits her application one month before the expiry of Leave. If CCL is not sanctioned by the sanctioning authority before the expiry of leave, she shall have to join her duty.
- o) CCL be combined with any other leave if due and admissible provided she submits her application one month before the expiry of Leave and is sanctioned by leave sanctioning authority.

12. Leave Salary Advance:

An employee may be paid leave salary not exceeding one month's pay if he proceeds on leave for a period of not less than 30 days. This advance will be adjusted in the next pay bill of the employee to be drawn by the Corporation.

13. Leave Salary in Case of Death of an Employee:

The next of kin of an employee who dies while in service of the Corporation shall be given the cash equivalent of the leave salary for the period of Earned Leave due as if he had gone on leave but for his death.

14. Encashment of Leave:

- a. Earned Leave exceeding 30 days standing to the credit of an employee and up to a maximum of 30 days may be encashed at the leave salary rate (Basic Pay Plus Special Pay Plus DA) during the service period. For the purpose of encashment of Earned Leave, there should be a minimum of 60 days' accumulation to the credit of an employee.
- b. The employee placed under suspension or whose recruitment is under sub-judice before the Hon'ble Court shall not be entitled to withdrawal the encashment of earned leave during that period.
- c. At the time of retirement, Earned Leave and Half Pay Leave standing to the credit of an employee subject to overall limit of 300 days is encashable. However, to make up the short fall in EL, no commutation of HPL shall be permissible.

15. Competent Authority:

The Corporation may from time to time prescribe the competent authorities for grant of various kinds of leave.

16. SAVING PROVISIONS:

In case of doubt or dispute in regard to the interpretation of these rules, the decision of the Chairman & Managing Director shall be final.
