

**KHYBER PAKHTUNKHWA TECHNICAL EDUCATION AND VOCATIONAL
TRAINING AUTHORITY**

(LEAVE) REGULATION, 2015

(KP TEVTA Regulation No. VII of 2015)

No. _____ In exercise of the powers conferred by section-21 of the Khyber Pakhtunkhwa Technical Education and Vocational Training Authority Act, 2014 5 (Khyber Pakhtunkhwa Act No. XII of 2015), the Board is pleased to make the following Regulation, namely;

**Chapter-1
(Preliminary)**

1. Short title, application and commencement:-

- (1) This Regulation may be called “ the Technical Education and Vocational Training Authority (Leave) Regulation, 2015”
- (2) It shall apply to all persons in the service of Authority and all offices, Institutions, Centers and Colleges under its administrative control.
- (3) It shall come into force at once.

2. Definitions.---

- (1) In this Regulation, unless there is anything repugnant to the subject or context:
 - (i) “Act” means the Khyber Pakhtunkhwa Technical Education and Vocational Training Authority Act, 2015(Khyber Pakhtunkhwa Act NO. XII of 2015);
 - (ii) “Authority” means the Khyber Pakhtunkhwa Technical Education and Vocational Training Authority, established under the Act;
 - (iii) “paragraph” means paragraph of this Regulation
- (2) Words and expressions used but not defined in this Regulation shall have the same meaning as assigned to them under the Act or the Rules or Regulations made there under.

3. Admissibility of leave to employee.--- Leave shall be admissible to the employees of the Authority at the rates, for the purposes, on the terms & conditions specified in each case, expressed in terms of days and may be sanctioned by the leave sanctioning authority at his discretion keeping in view the legitimacy of the request, exigency of services and the grounds on which such leave has been applied for: -

- i. An employee of the Authority shall be entitled for 04 days earned leave (on full pay) in a calendar month, provided that his attendance in that month is not less than 16 days.
- ii. The provisions of clause (i) above shall not, however, apply to a vacation department, the employee whereof shall be entitled for one day earned leave for a calendar month in which his attendance is not less than 16 days;

Provided that the provision in clause-ii above shall apply to the employees who actually avail of the summer or winter vacations as the case may be.

Provided further that the said clause shall not be applied to the employees of vacation department who are prevented from availing of such vacation in exigency of services of the Authority

- iii. The leave so earned shall be recorded in the leave account of the employee concerned.
- iv. There shall be no maximum limit on the accumulation of earned leave.

4. When leave earned: -

- a. The service rendered by an employee entitles him to earn leave in accordance with this Regulation. However, such leave shall not be earned during the period of any kind of leave/vacation.
- b. An employee of the Authority on deputation to foreign service in Pakistan shall be entitled to earn leave creditable in his leave account in the parent department minus the leave availed of by him during the period of such deputation, on his repatriation to the parent cadre, provided that the borrowing department shall contribute the leave salary to the Fund of the Authority.

5. Grant of leave on full pay .---

(1) The maximum period of leave (on full pay) may be allowed to an employee at a stretch, by the leave sanctioning authority, to the following extent:

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|-------------|--|----------|
| i. | Without Medical Certificate | 120 days |
| ii. | With Medical Certificate | 180 days |
| Plus | | |
| iii. | On medical grounds once in the entire service subject to availability of leave in the leave account of the employee concerned. | 365 days |

- (2) The maximum period of leave at clause- (i) and (ii) of sub-paragraph (1) shall be independent of each other and may be allowed in combination of each other.

6. Grant of leave on half pay---

- (1) Leave on full pay may be converted into leave on half pay, at the option of the employee concerned.
- (2) The leave on half pay shall be deducted from the leave account of the employee concerned in the manner that one day leave shall be deducted for each two days of leave on half pay

7. Leave not due:--leave not due may be granted on full pay to an employee of the Authority against the leave to be earned in future, for a maximum period of three hundred and sixty five days during the entire service subject to the condition that in the first five years of service, the quantum of leave so granted shall not exceed ninety days in all;

Provided that:-

- i. no leave is available in the leave account of the employee concerned.
- ii. such leave shall be allowed on legitimate grounds, in un-avoidable circumstances and in the matters beyond the control of the employee concerned.
- iii. such leave shall be granted only when there are reasonable chances of resuming duty on expiry of leave of the employee.
- iv. such leave may be converted into leave on half pay at the discretion of leave sanctioning authority.
- v. such leave shall be granted sparingly and to the satisfaction of the sanctioning authority and shall be admissible only to regular employees of the Authority.

8. Leave salary.---

- (1) Pay admissible during leave (on full pay) shall be equal to the total emoluments drawn by an employee before proceeding on leave excluding conveyance allowance, teaching allowance and any other allowance not permissible during the leave, as declared so by the Authority.
- (2) Increment or fixation of pay shall not be allowed to the employee during the leave period. However, on resumption of duty, pay of the employee shall be fixed at the revised rate, if any, and increment will also be allowed along with arrears thereof.

9. Special Leave to female employees.---A female employee may, on the death of her husband, be granted special leave on full pay not exceeding 130 days. This leave

shall not be debited to her leave account and will commence from the date of death of her husband. For this purpose she will have to produce death certificate issued by the competent authority either along with her application for special leave or; if that is not possible, the said certificate may be furnished to the leave sanctioning authority subsequently.

10. Maternity Leave. ---

- (1) Maternity leave may be granted on full pay, not debitable to the leave account, to a female employee to the extent of ninety days in all from the date of its commencement or forty five days from the date of her confinement, whichever, is earlier. Provided that such leave may not be granted for more than three times in the entire service of a female employee.
- (2) For confinement beyond the third time, the female employee would have to take leave from her normal leave account.
- (3) The maternity leave availed of prior to the coming into force of this Regulation shall be deemed to have been taken under this Regulation.
- (4) Maternity leave may be granted in continuation of or in combination with, any other kind of leave including extraordinary leave as may be due and admissible to a female employee.
- (5) Leave application for maternity leave shall be supported with the medical certificate of the authorized medical practitioner.

11. Disability leave.---

- (1) Disability leave may be granted up to a maximum of seven hundred and thirty days on such medical advice as the competent medical board may consider necessary, to an employee, disabled due to injury, ailment or disease which is otherwise curable but requires a prolonged treatment.
- (2) The leave salary during disability leave shall be equal to full pay for the first one hundred and eighty days and on half pay for the remaining period.
- (3) The disability leave shall not be debatable to leave account.

12. Leave on medical grounds.---leave applied for on medical certificate shall not ordinarily be refused. The authority competent to sanction leave may, however, at its discretion, secure a second medical opinion of the competent medical board.

13. Extraordinary leave (leave without pay):--

- (1) Extraordinary leave may be granted on any ground up to a maximum period of five years at a time, provided that the employee to whom such leave is granted has been in continuous service for a period of not less than ten years. In case an employee has not completed ten years of continuous service, extraordinary leave without pay for a maximum period of two years may be granted at the discretion of the leave sanctioning authority. This leave may be granted irrespective of the fact whether an employee is permanent or temporary.
- (2) The maximum period of extraordinary leave without pay combined with leave on full pay and leave on half pay shall be subject to the limit of five years. The maximum period of extraordinary leave without pay that would be admissible to an employee who has rendered continuous service for a period of not less than 10 years shall be 5 years less than the period of leave on full pay and leave on half pay so combined.
- (3) Extraordinary leave may be granted retrospectively in lieu of absence without leave, provided that it is proved that the absence was beyond the control of the employee concerned.

14. Leave preparatory to retirement.--- The maximum period up to which an employee may be granted leave preparatory to retirement shall be 365 days. It may be taken subject to availability of leave on full pay or at the discretion of the employee on half pay, if sufficient leave is not available in the leave account, but it shall not extend beyond the age of superannuation.

15. Leave Encashment: Leave earned by a regular employee of the Authority may be allowed to encash his entire earned leave at his credit if he has not availed of it or not intended to avail the same at the time of encashment. The encashment of leave shall be made on the basic pay drawn by the employee.

16. Leave Ex-Pakistan as per delegation of power.--- Leave or a portion thereof granted to an employee by the leave sanctioning authority may be notified as leave (ex-Pakistan), if the employee concerned is intending to avail of the said leave outside Pakistan. In such a case the N.O.C of the competent authority shall also be required for proceeding of the employee abroad.

17. Commencement and end of leave.--- Instead of indicating whether leave starts or ends in the forenoon or afternoon, leave shall commence from the day following that on which an employee hands over the charge of his post. It shall end on the day preceding the day he resumes duty.

18. **Absence after expiry of leave.**---Unless his leave is extended by the leave sanctioning authority, an employee who remains absent, except for circumstances beyond his control, after the expiry of his leave shall not be entitled to any remuneration for the period of absence unless the double period of such absence shall be deducted from his leave account. Such deduction, if there is not sufficient leave in his account, be made from his account against the future accumulation of leave.

Provided that such double deduction of absence period from leave account shall not preclude any disciplinary action that may be considered necessary under any Rules or Regulations for the time being in force, after affording a reasonable opportunity to the employee concerned to justify his absence.

19. **In service Death etc.**---

- (1) In case an employee of the Authority dies, or is declared permanently incapacitated for further service by a medical board, a lump sum amount equal to his pay for one hundred and eighty days or equal to the days of leave at his credit, whichever is more, shall be made to his family, as defined for the purpose of family pension, or as the case may be, to the employee concerned.
- (2) For the purpose of lump sum payment under sub-paragraph (1), the senior post allowance, qualification pay, special pay or any other amount termed as pay shall be included in the leave pay so admissible.

20. **Recall from leave.**--- The leave sanctioning authority may recall an employee of the Authority to duty from leave of any kind. In case the employee is spending the leave away from his headquarters, he may be granted single return fare plus daily allowance as admissible on tour from the station where he is spending his leave to the place where he is required to report for duty. In case he is recalled to duty at headquarters and his remaining leave is cancelled, the fare then admissible shall be for one way journey only plus daily allowance.

21. **Any type of leave may be applied.**--- An employee may apply for any type of leave at his discretion if the said leave is admissible to him. Sanction of such leave shall not be refused on the ground that another type of leave may be applied for by the employee concerned.

22. **Combination of different type of leave.**---One type of leave may be combined with joining time or with any other type of leave otherwise admissible to the employee,

provided that the leave preparatory to retirement shall not be combined with any other kind of leave.

23. **Employee on leave not to join duty before expiry of leave.**---Unless the un-expired portion of leave of an employee is cancelled by the leave sanctioning authority at the request of the employee concerned, he may not be allowed to resume duty before the expiry of leave granted to him.
24. **Leave due may be granted on abolition of post etc.**--- If services of an employee of the Authority are terminated consequent upon abolition of his post, the leave due to him may be granted without regard to availability of the post but subject to attaining the age of superannuation of the employee concerned.
25. **Handing /Taking over of charge when proceeding on/return from leave etc.**
An employee proceeding on leave shall hand over the charge of his post. In case of an employee in B- 16 and above, the employee shall sign the charge relinquishing report.
26. **Accounts office to maintain leave account.** ---Leave account in respect of the employees shall be maintained in the leave accounts format attached to the service books of the employees concerned.
27. **Leave to lapse when employee quits service.**---All kinds of leave at the credit of an employee shall stand lapsed when he quits service as a result of resignation from service, compulsory retirement, removal or dismissal from service or in case of superannuation.
28. **Leave applicable, its sanction, etc.**---
- (1) The application for leave or for extension thereof addressed to the leave sanctioning authority be routed through the office where the employee is posted. In case of an employee posted in the headquarters or head office with head of the department or faculty, the leave shall be applied for through proper channel. If the leave sanctioning authority of the employee concerned is not head of office or department himself, he shall recommend the case to the leave sanctioning authority with specific request to provide substitute, if necessary, before sanction of leave applied for to the employee concerned.
 - (2) Leave availability certificate shall be mandatory from the concerned account office before sanction of the leave applied for.
 - (3) In cases where more than appropriate number of employees apply for leave at a time, the leave sanctioning authority shall decide priority of the applications for sanction of leave at his discretion, keeping in view the exigency of services and emergent circumstances faced by the employees applied for leave, so as to avoid the untoward circumstances by the Authority as well as any miss-happening to the employees concerned.

29. Study leave.---

- (1) Study leave shall be granted to an employee intending proceeding for a study course or training within country or abroad for enhancement of his academic qualification contributive to his profession. Such leave shall be granted on half pay for a maximum period of 02 years, subject to the condition that his service should not be less than five years and more than twenty years. Extraordinary leave without pay may also be combined with the study leave and in that case the condition of the maximum period shall not apply. However, the study leave with half pay shall not exceed two years and the maximum period of extraordinary leave without pay so combined shall not be more than the leave admissible under paragraph-12.
- (2) The aforesaid leave shall also be subject to the execution of a surety bond to the effect that the employee shall be liable to return to the Authority and serve for at least five years after his return failing which he shall be liable to pay the bonded amount which should not be less than 0.5 Million.

30. Casual Leave.—

- (a) The employee of the Authority is not entitled to causal leave as of right. Casual leave is granted by way of grace to enable the employee to attend their private affairs of casual nature. It is entirely within the discretion of the sanctioning authority either to sanction or refuse leave;
- (b) Casual leave may not ordinarily exceed ten days at a time. The sanctioning authority may, however, grant leave up-to 15 days at a time under special circumstances;
- (c) Casual leave may be granted in conjunction with Saturday and Sunday or public holidays but not with any other kind of leave or joining time. When it is combined with holidays the total period shall not exceed 15 days at a time.
- (d) Casual leave may be sanctioned under the authority of the Chairperson or head of office or department by the immediate superior officer of the employee.

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Managing Director

Khyber Pakhtunkhwa Technical Education and
Vocational Training Authority

No.....

Dated.....

Copy to the:

1. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa/ Chairperson of the Board;
2. PS to Chief Secretary to the Government of Khyber Pakhtunkhwa.
3. All Administrative Secretaries, Government of Khyber Pakhtunkhwa.
4. Secretary to Governor, Khyber Pakhtunkhwa.
5. All Members of the Board.
6. Government Printing Press, Peshawar for publication in the official gazette.
7. All Officers of the Authority.

Director Admn: and HR.