

# **THE KHYBER MEDICAL UNIVERSITY STUDY LEAVE RULES, 2017**



## KHYBER MEDICAL UNIVERSITY STUDY LEAVE RULES, 2017

In exercise of powers under Section-31(1) & (2) of the Khyber Pakhtunkhwa Universities (Amendment) Act, 2016, the Khyber Medical University Syndicate frames the following Rules to regulate the matters relating to Study Leave of the employees of Khyber Medical University, Peshawar:

1. **Title:** These rules may be called KMU Study Leave Rules, 2017.
2. **Commencement:** These rules shall come into force upon approval of the Syndicate of the Khyber Medical University, Peshawar.
3. **Application:** These rules shall apply to all regular employees as well as TTS faculty as per provision of the relevant statutes of KMU/HEC.
4. **Definitions:** In these rules unless there is anything repugnant in the subject or context, the following expressions shall have the meanings hereby respectively assigned to them as under:
  - a) “Competent Authority/Study Leave Sanctioning Authority” means Syndicate
  - b) “Employee” means a person who holds a regular post in the University
  - c) “KMU” means Khyber Medical University, Peshawar
  - d) “Leave Salary” means the monthly amount paid by the University to its employees on leave
  - e) “Pay” means the amount monthly drawn by the KMU employee as the pay other than special pay, or pay granted towards his/her personal qualification, which has been sanctioned for a post held by him/her substantively
  - f) “Registrar” means Registrar of the university
  - g) “Study Leave” means leave granted to a regular employee as well as TTS faculty of the University for Study
  - h) “Syndicate” means Syndicate of the KMU
  - i) “University” means Khyber Medical University, Peshawar
  - j) “Vice Chancellor” means Vice Chancellor of the University
5. NOC shall be required prior to applying for admission in Masters/M.Phil/Ph.D/Post Doctorate /Fellowship or any other course/training program in the recognized institutes/universities etc. through concerned Head of Institute /Department/College/Section along with complete details of the course, time duration of the course, commencement of classes and profile of the university duly recognized by HEC.
6. Application for grant of Study Leave along with the following supporting documents shall be submitted to the office of the Registrar at least 02 months prior to the commencement of the classes/course for which Study Leave is applied for:
  - a) No Objection Certificate issued by the Registrar.
  - b) Duration of the course.
  - c) Exact date of commencement of the Study Leave.
7. In case of any changes in the course of studies or cancellation of admission during the period of Study Leave, prior approval of the Competent Authority shall be required.
8. The application shall be referred to the Study Leave Committee, for recommendation to the Syndicate, comprising of the following members:

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| 1. Director Academics & Admissions, KMU    | Chairman  |
| 2. Concerned Head of the Institute/Section | Member    |
| 3. Treasurer or his nominee                | Member    |
| 4. Registrar or his nominee                | Secretary |
9. Study Leave may be granted on full pay including allowances as admissible for a period not exceeding 04 years provided that;
- Beyond the 04 years, it shall be leave of the kind due.  
For extension beyond 04 years, the applicant shall apply at least 02 months in advance along with progress report and other relevant supporting documents duly endorsed by the concerned Head of Institute /Department/ College/Section and concerned supervisor of the university where the applicant is enrolled stating that the further extension in the leave period is indispensable for the completion of course /program.
  - Study Leave will count as service for increment, promotion gratuity and pension but not for leave and it shall not be debited against an employee's leave account.
  - Such Study Leave shall not be granted to a University employee who is due to retire from service within 10 years of the date on which such leave and the leave, if any, with which it is combined, would expire.
10. The duration for the grant of Study Leave with full pay admissible as per rules, for different levels of education/qualification shall be as follows:
- Ph.D = 04 years
  - Masters/M.Phil or equivalent = 02 years
  - Post Doctorate/Fellowship = 02 year
  - Certificate course = up to 01 year
11. The grant of Study Leave under these Rules is further subject to the following conditions:
- If an employee who is granted Study Leave does not show satisfactory progress in his/her studies or fails to obtain the relevant degree within the specified period, the Syndicate may direct that; his/her Study Leave shall be cancelled and Study Leave availed by him/her shall be converted into other leave as admissible under the KMU Leave Rules. If there is no leave available on the credit of the applicant for the required duration, the entire amount of the salary paid during the Study Leave shall be recovered from the employee in lump sum or in monthly installments at the discretion of the Competent Authority.
  - However, the above clause (a) shall not apply in case if the employee of the University fails to show satisfactory progress in his/her studies or to obtain the relevant degree due to illness or other circumstances beyond his/her control.
  - Before proceeding on Study Leave the University employee shall execute a surety bond on a non-judicial paper to the denomination of Rs. 100/- duly registered with the Revenue Authorities to the effect that on his/her return from Study Leave, he/she shall serve the University for a period of 05 years.
  - In case of his/her failure to serve the University for the said period, he/she shall pay to the University the amount of the salary he/she drawn during study leave, liquidated damages and penalty to the tune of Rs. 02 millions (Twenty Lacs) per year for such a period for which he is required to serve the University.
  - No bond will be required in case of training or study program for the period up to 06 months.

- f) The employee who proceeds for higher studies under HRD program financed by university/Higher Education Commission or Government of Pakistan/Government of Khyber Pakhtunkhwa shall sign a surety bond to pay the whole amount incurred on acquiring his/her higher studies, pay and allowances in addition to the liquidated damages as per clause (c) above. He/she will also be required to render mortgage of property on his name or the name of guarantor worth equivalent to the cost of scholarship and salaries drawn during study leave and liquidated damages as per clause (c) to be determined by the Study Leave Committee.
11. The progress of the scholar on Study Leave shall be monitored by the Director Academics & Admissions on regular basis.
  12. Study Leave shall be granted initially for 01 year and may be extended for the remaining period on satisfactory progress report received from the supervisor of the concerned University and subsequent approval of the Competent Authority.
  13. Study Leave may only be granted for improvement in qualification/acquiring higher education by the university employee in the relevant field of qualification.
  14. Study Leave shall be granted as a matter of course, keeping in view the spare ability of the employee as ascertained from the concerned Head of the Institute/Department /College/Section. Spareability in this context shall mean that the employee can be spared for a specified period without seriously disrupting the working of the concerned Institute/Department/College/Section.
  15. The Study Leave shall not be granted within the period of probation.
  16. The Study Leave shall not be granted with retrospective effect.
  17. Study Leave can be availed once during the entire length of service. However, it may be permissible in the case of higher studies (i.e. Post Doctorate/Fellowships) in view of the exceptional circumstances and exigency of services subject to the approval of KMU Syndicate.
  18. The duration of the Study Leave for Post Doc will be one year initially which can be extended up to two years on the recommendations of the supervisor concerned, so that the scholars availing the Study Leave for Post Doc may complete their research work in a comprehensive manner.
  19. The duration of service for eligibility of Post Doc fellowship/training should be continuous three (03) years in this university.

