



Shri Mata Vaishno Devi Shrine Board (Leave) Bye Laws 1997

1. Short title and commencement

These rules may be called "The Shri Mata Vaishno Devi Shrine Board (Leave) Bye-laws, 1997" and shall be deemed to have come into force with immediate effect.

2. Extent of Application:

These rules shall apply to the employees of the Shrine Board but shall not apply to:-

- a) Apprentices, persons on casual or daily rated or part time employment (unless otherwise stated/provided in any rule herein);
- b) Members of all India Service.
- c) Persons employed on contract except where the contract provides otherwise: Government servants appointment to the Civil Services and posts in connection with the affairs of the State.

3. Kinds of leave

i) Earned Leave

- a) An employee shall be entitled to earned leave for a period of 30 days in a calendar year by giving credit in his leave account at a uniform rate of 15 days on 1st January and 1st July every year provided that the leave accumulation does not exceed a maximum limit of 300 days.
- b) An employee can proceed on privilege leave only after it has been duly sanctioned by the competent authority. The employee shall have to apply for the earned leave at least 30 days in advance.

Note: Clause 3(i)(a) recast as approved in 40th Board Meeting and circulated vide order No. 145/SB of 2007 dated 16.01.2007.

Clause 3 (i) (a) of Leave Bye Laws amended in 37th Board Meeting and circulated vide order No. CO/P/12-R/3240-80 dated 31.03.2004

ii) Half Pay Leave for Regular (Graded) employees

- a) An employee shall be entitled to half pay leave of 20 days in respect of each completed year of service.
- b) The leave due under clause (a) may be granted on medical certificate or on private affairs.

Provided that in the case of a Shrine Board employee appointed on Term Employment basis, no half pay leave may be granted unless the authority competent to grant leave certifies that the post from which the official proceeds on leave is likely to continue even beyond the date of end of his leave and that authority has reason to believe that the said employee will return to duty on its expiry except in the case of a employee who has been declared completely and permanently incapacitated for further service by a Medical Authority.



If an employee is on leave on the day on which he completes a year of service, he shall be entitled to half pay leave without having to return to duty.

Commuted Leave for Regular (Graded) employees:

Commuted leave not exceeding half the amount of half –pay leave due may be granted on medical certificate to a employee subject to the following conditions:

- a) The authority competent to grant leave is satisfied that there is reasonable prospect of the employee returning to duty on its expiry.
- b) When commuted leave is granted, twice the amount of such leave shall be debited against the half-pay leave due; and
- c) Half-pay leave upto a maximum of 180 days shall be allowed to be commuted during the entire service where such leave is utilized for an approved course of study i.e course which is permitted by the Shrine Board authorities and in the interest of Shrine Board.
- d) Whereas employee who has been granted commuted leave resigns from service or at his/ her request is permitted to retire voluntarily without returning to duty, the commuted leave shall be treated as half-pay leave and the difference between the leave salary in respect of commuted leave and half pay leave shall be recovered:

Provided that no such recovery shall be made if the retirement is by reason of ill-health incapacitating the employee for further service or in the event of his/ her death.

Note: Commuted leave may be granted at the request of the employee even when earned leave is due to him/ her.

Instructions:

When a employee is certified medically fit for joining duty, holidays if any succeeding the day he/ she is so certified (including that day) shall automatically be allowed to be suffixed to the leave and holidays if any, preceding the day on which he/ she is certified to be fit shall be treated as part of leave.

iii) Extra Ordinary leave without pay & allowances

The Chief Executive Officer shall be competent authority to grant extra ordinary leave without pay/allowances to an employee under special and extra ordinary circumstances in reference to Clause-6/ any order issued by the authorities and period spent on extra ordinary leave without pay/ allowances shall not qualify for arriving at the entitlement for credit of earned leave.

iv) Maternity leave

- a) Female employees (including those engaged on contractual/ daily rated basis) may be granted maternity leave (duly supported by a medical certificate) for a period not more than 180 days. During this period she will draw leave salary equal to the pay drawn immediately before proceeding on leave.

Note: [Clause 3\(iii\)\(a\) & \(b\) recast as approved in 36th Board Meeting and circulated vide No. CO/P/12-R/3273-3306, dated: 07.07.2003](#)



[Clause 3\(iv\)\(a\) recast as approved in 57th Board Meeting and circulated vide No. 1723/SB of 2016 dated 03.08.2016](#)

[Amendment in Leave Rules vide Circular No. CO/P/12-R/18981930 dated 01.06.2002](#)

- b) A female employee may also be granted such a leave in case of mis-carriage/abortion for a period not exceeding 45 days (duly supported by a medical certificate).
- c) The leave required in excess of above period shall be debited to other kind of leave except casual and special casual leave.
- d) Female employees who have more than 2 living children shall not be granted maternity leave.

v) Paternity leave

Male employee with less than two surviving children may be granted paternity leave for a period of 15 days, during the confinement of his wife. During the period of such leave, he shall be paid leave salary equal to the pay drawn immediately before proceeding on leave. Paternity leave shall not be debited against the leave account and may be combined with any other kind of leave (as in the case of maternity leave). It may not normally be refused under any circumstances

vi) Casual leave

- a) Employees (including those engaged on daily rate/ contractual basis) may be granted casual leave by the concerned unit head subject to such directions as may be issued by the Chief Executive Officer/Addl. Chief Executive Officer from time to time.
- b) Casual leave may be granted upto 15 days in a calendar year and is non cumulative.
- c) Where holidays fall in between casual leave, the same shall not be counted as part of leave.
- d) Casual leave shall not be granted for a period exceeding six days at a time.
- e) Casual leave shall not be combined with other kinds of leave except compensatory special leave.

vi) Special casual leave for adopting small family norms

- a) Special Casual leave not exceeding 6 working days may be granted to such employees having at the most two living children only who undergo sterilization operation (Vasectomy or Tubectomy).



vii) Compensatory Special leave in lieu of holidays/Sundays

- a) The employees (including those engaged on daily rate/ contractual) shall be entitled to Compensatory Special Leave in lieu of Sundays and other holidays and its accumulation as follows:-

| S. No. | Area of duties | Entitlement | Accumulation allowed upto |
|--------|--|--|---------------------------|
| 1. | Above Milk Bar (excluding Material Check Post)/ Free Langar Tarakote & above | 6 days per month | 18 days |
| 2. | (i) Below Milk Bar including Material Check Post (except Central Office. (ii) Vaishnavi Dham, Jammu. (iii) All other units not covered above. (iv) Any other category of employee(s) declared to be covered under this clause by the Chief Executive Officer/Addl. Chief Executive Officer. | 5 days per month | 10 days |
| 3 | Shri Mata Vaishno Devi Shrine Board, Central Office, Katra | Actual Duty Performed during Holiday/Odd Hours (more than 7 hours) | 07 days |

An employee cannot be allowed to accumulate his/her Special Compensatory Leave beyond the limit prescribed in the above table

- b) In respect of employees working on deputation, encashment may be granted on the date of his repatriation to his parent Department.

[Clause 3\(vii\) recast as approved in 34th Board Meeting and circulated vide No. CO/P/12-R/627-65, dated: 25.04.2002](#)

[Amendment in Leave Bye Laws vide Circular NO. CO/P/12-R/2387-2406 dated 22.06.1999](#)

4. Encashment of leave

- a) An employee shall be allowed encashment in respect of period of earned leave and compensatory special leave at his/ her credit at the time of retirement upon superannuation or voluntary retirement or resignation (subject of minimum 05 years of service inclusive of Term Employment) or in case of death while in service.
- b) The cash equivalent to be paid for encashment purposes shall be calculated on the basis of the basic pay plus DA only, last drawn, for a maximum of 300 days.
- c) The benefit of sub-rule (a) and (b) above will not be applicable to the employees who are pre-maturely retired by the Board as a measure of



punishment or are removed or dismissed on account of serious misconduct of criminal nature i.e theft/moral turpitude/murder/attempt to murder etc).

[Clause 4 amended in 36th Board Meeting and circulated vide No. CO/P/12-R/3273-3306, dated: 07.07.2003](#)

5. General Conditions

- a) Leave cannot be claimed as a matter of right.
- b) When exigencies of public service so require, leave of any kind may be refused or revoked by the authority competent to grant it.
- c) The leave will be regulated by the rules in force at the time the leave is applied for and granted.
- d) The grant of leave applied for is subject to verification of title of leave at the credit of the employee.
- e) (i) No employee shall proceed on any type of leave without its having been sanctioned by the competent authority.

(ii) If an employee remains absent without sanctioned leave or over stays the sanctioned leave continuously for more than ten days, it shall be deemed that he has voluntarily abandoned the services of the Board unless he returns and renders a satisfactory explanation for his absence and overstay of sanctioned leave to the satisfaction of the competent authority.
- f) Cash equivalent to be paid for encashment purposes of compensatory special leave and privilege leave shall be calculated on the basis of the basic pay plus DA only, last drawn.

6. Sanction of leave

| Kind of Leave | Group | Sanctioning Authority |
|--|--------------|---|
| Casual Leave/ Special Compensatory Leave | Group- C | Concerned Unit Heads/ Controlling Officers |
| | Group- A & B | Concerned Controlling Officers with intimation to Addl.CEO/ CEO |
| Earned Leave | Group-A | Addl. CEO (HRD) upto 30 days CEO beyond 30 days |
| | Group-B | Dy.CEO (HRD) upto 30 days Addl. CEO (HRD) upto 60 days CEO beyond 60 days |
| | Group-C | Dy.CEO (HRD) upto 60 days Addl. CEO beyond 60 days |
| Maternity Leave/ Paternity Leave | Group-A | Addl. CEO (HRD) |
| | Group-B | Addl.CEO (HRD) |
| | Group-C | Dy.CEO (HRD) |



| | | |
|----------------------|----------------|-----------------|
| Commuted Leave | Group-A | Addl. CEO (HRD) |
| | Group-B | Addl.CEO (HRD) |
| | Group-C | Dy.CEO (HRD) |
| Extra Ordinary Leave | Group-A, B & C | CEO |

Note: In case, the incumbent against the post of Addl. CEO (HRD) is not available, the Dy. CEO (HRD) shall be the Competent Authority to sanction such leaves.

7. Interpretation

If any question arises relating to the interpretation of these bye-laws, the matter shall be referred to the Chairman whose decision thereon shall be final and binding.

8. Repeal and saving

- i) All rules, orders, instructions issued by the ;Board prior to the commencement of these bye-laws in regard to the matters covered by these bye-laws are hereby repealed.
- ii) Notwithstanding such repeal, any order made or action taken under the rules, orders and instructions so repealed shall be deemed to have been made or taken under the corresponding provisions of these bye-laws.

9. Relaxation:

“Power to Relax: Where the Chairman is satisfied that in any particular case the operation of any of these bye laws causes undue hardship or application of any of these Bye Laws requires to be relaxed on grounds, of administrative exigency or any other special ground to be recommended, he may dispense with or relax the requirement of that Bye-Laws to such extent and subject to such conditions or stipulation as may be considered necessary”.

Note: [Clause 9 to SMVDSB Employees \(Leave\) Bye Laws added as approved in 34th Board Meeting and circulated vide No. CO/P/12-R/627-65, dated: 25.04.2002](#)

[Leave Bye-Laws amended vide order No. 113/SB of 2020 dated 17.01.2020](#)