

NOTIFICATION

No.SO(G)/Food/REG(8)-SFA/2023. In exercise of the powers conferred by section 61 of the Sindh Food Authority Act 2016, the Government of Sindh are pleased to make the following regulations, namely: -

1. Short Title, commencement & application: (1) These regulations may be called Sindh Food Authority Leave Regulations, 2023.

2. They shall come into force at once.

3. They shall apply to all employees of Sindh Food Authority.

2. Definitions: In these regulations, unless there is anything repugnant in the subject or context-

(a) "Accounts Officer" means the officer with whatsoever designation known, in whose circle of audit the employee is serving

(b) "Calendar month" means a calendar month during which no earned leave has been enjoyed by an employee and includes the calendar month during which the earned leave for less than fifteen days has been enjoyed and, if the span of earned leave extends beyond one calendar month and the part of such leave falling severally both in the months of beginning and ending there of exceeds fifteen days. the calendar month of ending the earned leave.

(c) "Competent authority" means the authority competent to grant leave;

(e) "duty rendered" means the period of duty rendered by an employee in terms of calendar months:

(f) "Earned leave" means the leave earned by an employee from the appointed day onwards in accordance with these regulations together with the balance of such leave accumulated or debited to the employee immediately before the said date in accordance with these regulations;

- (g) "Form" means a form appended to these regulations;
- (h) "Leave" means the earned leave applied or granted to an employee out of his leave account;
- (i) "Leave Account" means the account of the earned leave and the leave granted there from maintained in form-III.

3. When leave is earned: The duty rendered by an employee shall qualify him to earn leave in accordance with these regulations.

5. Calculation and accumulation of earned leave: Leave shall be calculated and accumulated as under:-

(1) On and from appointed day earned leave shall be calculated in the case of employee at the rate of four earned days for every calendar month.

(2) All leave earned by an employee immediately before the coming into effect of the Act and accumulated shall be brought forward to the leave account as earned leave.

(3) The earned leave admissible to an employee shall be calculated up to the date of the grant of leave and at the end of every calendar year for that year and after deducting the leave availed of from the leave admissible, the balance shall be brought forward to the leave account for the calendar year immediately following thereafter.

6. Leave application: (1) An application in Form-I appended to these regulations for leave or for an extension of leave shall be made to the head of office.

(2) An employee may apply for the type of leave which is due and admissible to him and it shall not be refused on the ground that another type of leave should be taken in the particular circumstances. An employee may apply for extra-ordinary leave or leave on half pay even if leave on full pay is otherwise due and admissible to him.

7. Grant of Leave: (1) On receipt of an application for grant of leave, the admissibility thereof shall, as far as possible, be assessed from the leave account maintained by the Concerned Officer, before the leave is granted.

(2) Leave under these Regulations may be granted by the competent authority or by an Officer authorized by him to do so.

(3) In case where all the applications for leave cannot, in the interest of public service, be sanctioned simultaneously, the competent authority may spare as many applicants as he deems fit, and shall give priority to-

- (a) the applicants who were last recalled compulsorily from leave; and
- (b) the applicants who were required to make adjustment in the timing of their leave on the last occasion to the instant time.

8. Leave on Full pay: The maximum period of leave on full pay that may be granted one time shall be-

- (a) one hundred and twenty days without medical certificate;
- (b) one hundred and eighty days with medical certificate, which may be in Form II appended to these regulations; and
- (c) Three hundred and sixty five days leave on medical certificate from leave account in entire service.

Explanation.- The leave without medical certificate and with medical certificate may, subject to the total maximum limit, be granted at a time.

9. Leave on half pay: (1) Leave on full pay may be converted into leave on half pay on the request of the employee, but the debit to the leave account shall be at the rate one day every two days of such leave, fraction of one half counting as one full day's leave on full pay.

(2) There shall be no limit on the grant of leave on half pay so long as it is available by conversion.

10. Leave ex-Pakistan: Leave may be granted ex-Pakistan on full pay to an employee, who applies for such leave or who proceeds abroad during and makes specific request for leave to be enjoyed ex-Pakistan.

11. Leave not due: (1) If at any time there is no leave at the credit of an employee and the employee is likely to resume duty after availing leave, such employee may be granted leave not due on full pay to be offset against leave to be earned in future for a maximum period of 365 days in the entire period of service, subject to the condition that during the first five years of service such leave shall not exceed 90 days in all, and the aforesaid limit shall be subject to conversion in accordance with these regulations if the whole or any part of such leave is granted on half pay.

(2) When an employee who returns from 'leave not due', no leave on full pay shall become due to him until the leave not due availed of is balanced by the earned leave.

12. Leave on abolition of post: (1) When a post is abolished, leave due to the employee, whose services are terminated in consequence thereof, shall be granted without regard to the availability of a post for the period of leave.

(2) The grant of leave in such cases shall, so long as such employee does not attain the age of superannuation be deemed automatically to have also extended the duration of the post and the tenure of its incumbent.

13. Leave preparatory to retirement: (1) Subject to the availability an employee may be granted leave preparatory to retirement on full pay from the leave account to a maximum of 365 days ending on the date of superannuation or on the date of voluntary retirement on completion of twenty five years qualifying service and convertible partly or wholly into leave on half pay, but the duration of the total leave including the actual period of leave on half pay, if any, shall not exceed 365 days.

(2) Application for leave preparatory to retirement shall be submitted at least 90 days before the date of the proposed commencement of such leave.

14. Maternity Leave: An Authority shall grant a mandatory maternity leave to working women during pregnancy in the following order:-

(1) Four weeks before the expected date of delivery.

(2) Twelve-weeks after the delivery.

15. Death of Husband of Female employee: (1) A female employee shall, on the death of her husband be granted special leave when applied for on full pay for a period not exceeding 130 days, which shall not be debited to her leave account.

(2) The special leave shall commence from the date of the death of the husband of the employee and the employee shall furnish the death certificate issued by the concerned authority to the competent authority either along with the application for special leave or if that is not possible, at any time thereafter.

16. Disability Leave: Disability leave may be granted to an employee, disabled by injury, ailment or disease contracted in the course or in consequence of duty, outside the leave account on each occasion, up to a maximum of seven hundred and twenty days of which 180 days shall be on full pay and the remaining on half pay on such medical advice as the head of office may consider necessary.

17. Quarantine Leave: (1) An employee suffering from any disease which requires his confinement for certain period by way of quarantine may, on the recommendation of the authorized medical officer have quarantine leave for the said period.

(2) The quarantine leave granted under this regulation shall not be debited to the leave account, the employee on such leave shall, for all purposes, be treated as on duty.

18. Extraordinary Leave: (1) Extraordinary leave may be granted on any ground up to a maximum of five years at a time provided the employee to whom such leave is granted has been in continuous service for a period of not less than ten years, and in case if an employee has not completed ten years of continuous service extra-ordinary leave for a maximum period of two years may be granted at the discretion of the competent authority.

Provided that the maximum period of five years shall be reduced by the period of leave on full pay or half pay, if granted in combination with the extra-ordinary leave.

(2) Extra-ordinary leave may be granted retrospectively in lieu of absence without leave.

(3) All extra-ordinary leave shall be without pay.

19. Encashment of L.P.R: (1) An employee may, fifteen months before the date of superannuation, be allowed to encash his leave preparatory to retirement if he under takes in writing to perform duty in lieu of the whole period of three hundred and sixty five days or lesser period which is due and admissible.

(2) In lieu of such leave, leave pay may be claimed at any time during that period at the rate of pay admissible at the time the leave pay is drawn for the actual period of such leave subject to a maximum of one hundred and eighty days.

(3) If at any time during such period leave is granted on account of ill health supported-by medical certificate or for performance of Hajj, amount of cash compensation on account of leave pay shall be reduced by an amount equal to the leave pay for half the period of leave so granted. for example, if an employee who has opted for encashment of such leave, has taken sixty days leave, his cash compensation equal to thirty days leave shall be forfeited.

(4) The employee shall submit the option to the authority competent to sanction leave preparatory to retirement, which shall accept the option and issue formal sanction for the payment of cash compensation.

20. Death during L.P.R: In case an employee on leave preparatory to retirement dies before leave completing 365 days of such leave, his family shall be entitled to lump sum payment equal to the period falling short of three hundred and sixty five days.

21. In Service death: In case an employee dies while in service, lump sum payment of full pay up to 365 days out of the leave at his credit shall be made to his "family" as defined for the purpose of family pension.

22. Leave Salary: An employee granted leave on full pay or half pay shall for Leave salary the period of leave draw the pay or half pay as the case may be, and all allowances except the conveyance allowance admissible to such employee immediately before proceeding on such leave.

23. Recall to duty during leave: If an employee is recalled to duty compulsorily, with the Recall to duty personal approval of the head of his office from leave of any during leave kind that he is spending away from his headquarters, he may be granted a single return fare plus daily allowance as admissible on tour from the station where he is spending his leave to the place of headquarters where he is required to report for duty.

24. Penalty for absence unsanctioned leave: An employee who remains absent after the expiry of his leave shall not, unless the leave is extended by the Head of Office, be entitled to any remuneration for the period of such absence and leave besides any disciplinary action that may be taken against such employee, double the period of such absence shall be debited against the leave account of such employee and such debit shall, if there is insufficient credit in the leave account, be adjusted as leave not due.

25. Combination of leave etc. Any type of leave may be combined with joining time or with any other kind of leave other-wise admissible to the employee:

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

26. Commencement of leave: Notwithstanding any date or dates mentioned in the orders granting any type of leave, the leave shall commence from the day following the day on which the employee hands over charge of the post held by such employee, and end on the day preceding the day which such employee resumes duty.

27. Employee on leave not to join duty without permission before its expiry: Unless the employee on leave is permitted to do so by the authority which sanctioned the leave such employee may not return to duty before the expiry of the period of leave granted to such employee.

28. Manner of handing over charge when proceeding on leave etc.: (1) An employee proceeding on leave shall hand over the charge of his post, and if he is in grade 16 and above, he shall, while handing over charge of the post sign the charge relinquishing report.

(2) The applicant shall make sure that leave has actually been granted to him and he shall not absent himself from duty until and unless proper arrangements for his work have been made and he has been relieved by his immediate superior. He shall duly hand over in the manner determined by his immediate Officer, all papers, cash and keys in his custody.

29. Assumption of charge on return from leave: (1) An employee, on return from leave, shall report for duty to the authority that sanctioned his leave and assume charge of the post to which he is directed by that authority.

(2) In case an employee is directed to take charge of a post at a station other than that from where he proceeded on leave, travel expenses as on transfer shall be payable to him.

(3) No employee who has been granted leave on medical certificate may return to duty without first producing a medical certificate of fitness in Form-II-A.

30. Maintenance of leave account: Leave account in respect of an employee shall be maintained as part of his Service Book. Provided that Account Officer shall maintain the leave account of employees of whom they were maintaining the Account immediately before the coming into force of these regulations.

31. Leave to Lapse: All leave at the credit of an employee shall lapse when he gives up the Authority service.

**NASIR ABBAS SOOMRO
SECRETARY TO GOVERNMENT OF SINDH**

FORM-I
[See regulation 6 (1)]
APPLICATION FOR LEAVE

1. Name of Applicant.
2. Post held.
3. Department or Office.
4. (a) Nature of leave applied for.
(b) Period of leave in days.
(c) Intended date of commencement of the leave.
5. Particular regulation or rules under which the leave is admissible.
6. (a) Date of return from last leave.
(b) Nature of the last leave.
(c) Period of last leave in days.

Dated –

Signature of Applicant

7. Remarks and recommendation of the immediately superior officer.

Certified that leave applied for is admissible under regulation ----- and necessary conditions are fulfilled.

Signature of the immediately Superior Officer
Designation

Dated:

8. Report of the Accounts Officer in the case of Officers in grade 16 or above.

Signature of the Accounts Officer
Designation

Dated:

9. Order of the sanctioning authority certifying that on the expiry of leave the applicant is likely to return to the same post or another post carrying the compensatory allowance being drawn by him.

Form-II

[See Regulation 8]

FORM OF MEDICAL CERTIFICATE

Signature of applicant

MEDICAL CERTIFICATE FOR CIVIL SERVANTS RECOMMENDED FOR LEAVE OR
EXTENSION

I, _____, after careful _____ personal
examination of the case, hereby certify that _____
whose signature is given above, is suffering from
_____ and I consider that period of absence
from duty of _____ with effect from is absolutely necessary
for the restoration of his health.

Dated the _____

Medical Attendant

FORM-II A

[See regulation 8]

FORM OF MEDICAL CERTIFICATE OF FITNESS TO RETURN TO DUTY

I, _____, do hereby certify that I have carefully
examined _____ of the Department, and find that he has
recovered from his illness and is now fit to resume duties in Government
service. I also certify that before arriving at this decision I have examined
the original medical certificate(s) and statement (s) of the case (or
certified copies thereof) on which leave was granted or extended, and
have taken these into consideration in arriving at my decision.

Dated the _____

Medical Attendant

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