

**GOVERNMENT OF RAJASTHAN
FINANCE DEPARTMENT
(RULES DIVISION)**

No. F. 1(6)FD/Rules/2011

Jaipur, dated : 22 MAY 2018

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Rajasthan hereby makes the following rules further to amend the Rajasthan Service Rules, 1951, namely:-

1. Short title and commencement.- (1) These rules may be called The Rajasthan Service (Fourth Amendment) Rules, 2018.

(2) They shall come into force with immediate effect.

2. Insertion of new rule 103 C.- After the existing rule 103B and before the existing rule 104 of the Rajasthan Service Rules, 1951, the following new rule 103C shall be inserted, namely:-

"103C. Child Care Leave.- (1) A female Government servant may be granted Child Care Leave by an authority competent to grant leave, for a maximum period of two years, i.e. 730 days during her entire service for taking care of her two eldest surviving children whether for rearing or for looking after any of their needs, such as examination, sickness, etc.

Explanation: For the purpose of this rule 'Child' means,-

- (a) a child below the age of eighteen years; or
- (b) a child upto the age of twenty two years with a minimum disability of forty percent as elaborated in the Ministry of Social Justice and Empowerment, Government of India, notification number 16-18/97-NI. I dated 01.06.2001.

(2) Grant of Child Care Leave under this rule shall be subject to the following conditions, namely:-

- (i) During the period of Child Care Leave, a female Government servant shall be entitled to leave salary equal to the pay drawn immediately before proceeding on leave.
- (ii) Child Care Leave may be combined with leave of any other kind due and admissible.

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- (iii) Application for Child Care Leave, in the form specified by the State Government, shall have to be submitted to leave sanctioning authority well in time for sanction.
- (iv) Child Care Leave cannot be claimed as a matter of right. Under no circumstance can any female Government servant proceed on Child Care Leave without prior approval of the leave sanctioning authority.
- (v) Child Care Leave shall not be granted under any circumstances to a female Government servant, who remains on an unauthorised absence from duty and applies for it thereafter.
- (vi) Leave already availed or being availed of by a female Government servant shall, under no circumstances, be converted into Child Care Leave.
- (vii) Child Care Leave shall not be debited against any other kind of leave account. The leave account of Child Care Leave shall be maintained in the form specified by the State Government, from time to time and it shall be pasted in the service book.
- (viii) Leave sanctioning authority can deny the leave applied for on the ground of proper and smooth functioning of Government work or achievement of departmental targets.
- (ix) It shall not be granted for more than three spells in a calendar year. A spell, which begins during a calendar year and ends in the next calendar year, shall be deemed as a spell pertaining to the calendar year in which the spell begins.
- (x) It shall ordinarily not be granted to a Probationer trainee during the probation period. However, in special circumstances if the leave is granted during the probation period then the probation period shall be extended by the period equivalent to the period for which the leave has been granted.
- (xi) The leave is to be treated like the Privilege Leave and sanctioned as such.
- (xii) Sunday and holiday can be prefixed or suffixed to Child Care Leave. Consequently, Sunday, Gazetted holiday(s) or any other holiday(s) notified by the Government falling during the period of leave would also count for Child Care Leave, as in the case of Privilege Leave.

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- (xiii) A certificate of dependency of the disabled Child will be obtained from the female Government servant before sanctioning Child Care Leave along with document of disability issued by the competent authority/Medical Board.
- (xiv) Child Care Leave in connection with the examination or illness of a minor child living abroad, shall be sanctioned on the basis of a certificate issued in this regard by the educational institution concerned or by an authorised doctor, as the case may be. The female Government servant, who avails Child Care Leave in respect of a minor child living abroad, shall have to comply with all the rules/instructions for proceeding on ex-India leave and eighty percent period of such leave shall have to be spent in the country where the child is living.
- (xv) Before Child Care Leave is sanctioned relating to the examination of a minor child, who lives in a hostel in India or abroad, the female Government servant shall have to clarify how the needs of such a minor child will be looked after by her."

By order of the Governor,


(Manju Rajpal)

Secretary to the Government

