

**GOVERNMENT OF RAJASTHAN  
ADMINISTRATIVE REFORMS (Gr.7) DEPARTMENT**



**THE RAJASTHAN SERVICE RULES**

**(Volume-I Part-A)**

**(Corrected and amended upto 31<sup>st</sup> May, 2007)**

**Seventh Edition**

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post on which he would hold a lien had *it* not been suspended in accordance with the provisions of Clause (a) of Rule 17.

[For rules re-issue of last pay certificate in connection with "Transfer on duty" refer to Appendix XV].

**<sup>^</sup>21. Subscription to a Provident Fund or Life Insurance.**—A Government servant may be required to Contribute to the compulsory State Life Insurance Scheme <sup>+</sup>[in accordance with such rules as Government may by order prescribe.] In case where a first or further assurance cannot be granted under the Rajasthan Government Servants Insurance Rules on account of his being beyond the age prescribed under the aforesaid Rules or on account of his being ineligible on medical grounds he may be required to contribute to the General Provident Fund,

(See General Provident Fund (Rajasthan Services) Rules and Rajasthan Government Servants Insurance Rules, 1953).

\*21A. A Government servant may be required to subscribe to Rajasthan State Pensioners Medical Concession Scheme in accordance with such rules as the Government may by order prescribe.

%21B. A Government servant may be required to subscribe to the General Provident Fund in accordance with rules made by the Government in this behalf from time to time including crediting of any instalment of dearness allowance or arrears of dearness allowance to the General Provident Fund in accordance with the orders issued by the Government from time to time.

\$21C A pensioner/family pensioner may be required to deposit any amount of arrear of pension/family pension and dearness relief to the General Provident Fund Account in accordance with the orders issued by the Government from time to time.

**22. Condition for drawing pay and allowances.**— Subject to any exceptions specifically made in these rules an official shall begin to draw the pay and allowances attached to his tenure of a post with effect from the date he assumes the duties of that post and shall cease to draw them as soon as he ceases to discharge those duties.

#### NOTE

For administrative instructions regarding "CHARGE OF OFFICE" and "LEAVING JURISDICTION" please see Appendix I.

#### ***Audit Instruction.***

A Government servant will begin to draw the pay and allowances attached to his tenure of a post with effect from the date he assumes duties of

<sup>^</sup> Substituted vide F. D. No. D. 6949/F.4 (II)FD/(Rules) 59-1, dated 31-12-1959-

"21. A Government servant may be required to subscribe to a Provident Fund or insure his life in accordance with such rules as Government may by order prescribe."

<sup>+</sup> Added vide F.D. Notification No. F. 1(27)FD/Exp./Rules/65, dated 31-5-1965 effective from 31-12-1959.

\* Inserted vide F.D. Notification No. F. 1(6) FD/Gr.2/78-II, dated 31-10-1981 w.e.f. 1-11-1981.

% Added vide F.D. Notification No. F. 1(6) FD/Gr. 11/78, PL III. dated 4-7-1983 and shall be deemed to have come into force w.e.f. 1-5-1980.

<sup>\$</sup> Inserted vide FD Notification No. F.1(5)FD/Rules/96 dated 21.3.1998

**PART IV**  
**CHAPTER X**  
**Leave**

**Section I. – General Conditions of Leave**

\*57. **Leave earned by duty.** – Leave is earned by duty only. For the purpose of this rule a period spent in foreign service counts as duty if contribution towards leave salary is paid on account of such period.

**Government of Rajasthan's Decision**

% 1. A number of Government servants had to remain without posting for various period during the process of integration of services. A question has been raised whether such periods will count for earning leave.

Since leave is earned by the actual performance of duty and no duty was performed by the Government servants concerned during such periods, it has been held that the periods in question will not count for earning leave, even though these may count for pension in terms of F.D. No. 23 (2)-R/52, dated 31-5-1952, (See Government of Rajasthan's Decision No. 1 below Rule 180 of R.S.R.)

@2. Doubts have been expressed whether the terms "leave" referred to in Finance Department Memo. of even number dated 7-1-53 (reproduced as decision No.1) means only privilege leave or would include other kind of leave e.g. half pay leave also and whether the order will have retrospective effect. The matter has been examined. It has been held that the terms leave occurring in the said order refers to "privilege leave" or corresponding leave only and not to any other kind of leave. The order is to apply with retrospective effect but no recovery is to be made in cases of persons who retired before 7<sup>th</sup> January, 1953.

(2) Leave accounts of Government servants, who remained unposted or 'surplus' should be revised in the light of Finance Department Memo. of 7-1-53 (Decision No.1) as clarified in para 1 above. In the case of non gazetted employees this should be done by the Head of Offices concerned.

If any debit balance is caused by the revision on this basis of leave accounts of Government servants such balance should be adjusted against the leave to be earned in future.

**57 A. How regulated in the case of Government servant governed by a different set of rules when holding post to which these rules apply—** Unless in any case it be otherwise expressly provided by or under these rules, a Government servant transferred to a service or post to which these rules apply from a service or post to which they do not apply is not

\* Inserted by F.D. Order No. F. 5(1) F. D(R)/56 dated 11-1-1956.

% Inserted by F.D. No. F.23 (2) R/52, dated 7-1-1953.

@ Inserted by F.D. Memo. No. F.23(2) R/52, dated 26-12-1953.

ordinarily entitled to leave under these rules in respect of duty performed before such transfer.

**58. Leave in respect of service prior to discharge on re-employment or reinstatement.**—(a) If a Government servant, who quits the public service on compensation or invalid pension or gratuity is re-employed and if his gratuity is thereupon refunded or his pension held wholly in abeyance, his past service thereby becoming pensionable on ultimate retirement, he may, at the discretion of the authority sanctioning the re-employment and to such extent as that authority may decide count his former service towards leave.

(b) A Government servant who is dismissed or removed from the public service, but is reinstated on appeal or revision, is entitled to count his former service for leave.

### ***Audit Instructions***

(1) The re-employment of a person who has retired on superannuation or retiring pension is generally an exceptional and temporary expedient. In such cases the service of the re-employed person should be regarded as temporary and his leave during the period of re-employment should be regulated by the rules applicable to temporary Government servants,

\* (2) Deleted.

### **\* *Government of Rajasthan's Decision***

In cases where resignation of public service is not deemed as resignation within the meaning of rule 208 (b) of the Rajasthan Service Rules continuity of Service benefit should be allowed in the matter of leave also.

**\*\*59. Leave cannot be claimed as right**— Leave cannot be claimed as a right. Discretion is reserved to the authority empowered to grant leave to refuse or revoke leave at any time according to the exigencies of the public service; provided that any leave applied for and due as preparatory to retirement shall not be refused by such authority and it shall be refused in writing by the Government or by such authority to whom powers have been delegated in this behalf. The nature of leave due and applied for by a Government servant cannot be altered at the option of the sanctioning authority, and so while it is open to the authority competent to refuse or

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\* Audit Instruction No. (2) deleted and Government of Rajasthan's Decision inserted vide FD Memo No.F.1(34)FD/63, dated 28-12-1963,

"(2) Resignation of the public service even though followed immediately by re-employment constitutes a forfeiture of past service for purposes of leave.

\*\* Substituted vide FD Notification No. F.I (11)FD(Exp:-Rules)/67-I, dated 21-3-1967—

"59 Leave cannot be claimed as a right. Discretion is reserved to the authority empowered to grant leave, to refuse or revoke leave at any time according to the exigencies of the public service. The nature of leave due and applied for by a Government servant cannot be altered at the option of the sanctioning authority. So, while it is open to the sanctioning authority to refuse or revoke leave due and applied for under this rule it is not open to him to alter the nature of such leave."

## Section II

### **Privilege leave etc.**

- \*91. Admissibility of privilege leave. —** (1) (a) A Government servant whether temporary or permanent shall be entitled to privilege leave of 30 days in a calendar year.
- (b) Notwithstanding the provisions of clause (a) above the amount of privilege leave admissible to a member of Rajasthan Armed

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\* Substituted vide F.D. Notification No. F.I (49 ) FD (Gr.-2)/82, dated 22-2-1983 w.e.f.-1-1-1983 for the following:—

@91. *Amount of Privilege leave admissible* :—( 1) (a) The Privilege leave admissible to a permanent Government servant other than I.P.S. Officers,<sup>f</sup>[employed in the Rajasthan Armed Constabulary and posted in NEFA and Tripura or] on the Border as defined in Government Order No. F. 1 (21) GA/A/Gr.II/64, dated 8-5-1964 is one eighth of the period spent on such duty:

Provided that he shall cease to earn such leave when the privilege leave due amounts to 180 days:

Provided further that if the officer has been denied, by issue of a formal order setting forth the reasons thereof, the whole or part of leave due to him in exigencies of public service, he shall be entitled to accumulate such leave in excess of the maximum limit of 180 days.

@ Rule 91 (A) added vide FD Noti. No.F.1(24)FD(Exp-Rules)/64 dated 22.1.1965 effective from 1.06.1964.

<sup>f</sup> FD No.F.1(76)FD(ER)/65, dated 31-3-1967, effective from 1-1-1967 and corrigendum No.F.1(32)FD (Rules)/68 dated 17-7-1968 for – "employed in the Rajasthan Armed Constabulary and posted".

<sup>%</sup>(b) The privilege leave admissible to a Government servant in permanent employ is one eleventh of the period spent on duty:

Provided that he shall cease to earn such leave when the privilege leave due amounts to 180 Days.

(2) Subject to the provisions of + [Rules 59, 89 and sub rules (1) and (3) of this Rule] the maximum privilege leave that may be granted at a time to a Government servant shall be 120 days.

<sup>%</sup> Added by deleting the existing second proviso by FD order No. 4492/57, F.1(40)FD (A) Rules-66 dated 18-7-1957.

<sup>+</sup>(3) The maximum privilege leave that may be granted at a time to a Government servant shall be 180 days when he is undergoing treatment for Tuberculosis or Leprosy or Cancer or a Mental Disease in recognized Sanatorium/Hospital.

+ Substituted for the words 'Rule 59 and 89 and Inserted vide FD Notification F.1(58)FD (A) (Rules)/62 dated 20-7-1963, effective from 1-10-1962.

<sup>^</sup> *Exceptions.* — (1) the maximum privilege leave that may be granted at a time to an officer shall be 120 days, <sup>\*\*</sup>[subject to Rules 59 and 89].

(2) Privilege leave may be granted to a Government servant other than class IV service for a period of 120 days but not exceeding 180 days if the entire leave so granted or any portion thereof is spent outside India, Burma, Ceylon, <sup>x</sup>[Deleted] Nepal and Pakistan.

Provided that where privilege leave exceeding a period of 120 days is granted the period of leave spent in India shall not in the aggregate exceed the aforesaid limits.

<sup>^</sup> Added by deleting the existing second proviso by FD order No. 4492/57, F.1(40)FD (A) Rules-66 dated 18-7-1957.

<sup>\*\*</sup> The words "Subject to Rules 59 and 89" added by FD order No.D.6792/57 F.1(40)Rules/56, dated 28-10-1957.

<sup>x</sup> Deleted vide FD Noti. No.F.1(58)FD(Rules)/70 dated 12-1-1976, the words "Damen Div, Goa"

<sup>@</sup>(3) The maximum privilege leave that may be granted at a time to a Government servant shall be 180 days when he is undergoing treatment for Tuberculosis or Leprosy or Cancer or a mental disease in a recognized Sanatorium, Hospital.

@ Inserted by FD Noti. F.7-A(85)FD-A(Rules)60 dated 7-5-1962.

**?Rule 91 Substituted vide FD Not. No. F.1(58)/FD-A(Rules)62 dt. 21.11.1962 w.e.f. 1.10.1962 (For more about Rule 91 see at the end of the Chapter)**

Constabulary other than I.P.S. Deployed on deputation to Indian Reserve Battalion or on Border (as defined from time to time), shall be 42 days in a calendar year,

(c) (i) Except as provided in sub-clause (ii) of this clause a Government servant shall be entitled to accumulate leave upto a maximum period of =300 days.

(ii) A member of R.A.C. other than I. P. S. deployed on deputation to Indian Reserved Battalion, who has been denied the whole or part of leave due to him in exigency of public service by issue of a formal order setting forth the reasons thereof, shall be entitled to accumulate such leave in excess of maximum limit of =300 days.

\*[(2) (a) <sup>+</sup>(i) The leave account of every Government servant shall be credited with privilege leave, in advance, in two installments of 15 days each or 21 days each in the case of R.A.C. as provided in clause (b) of sub-rule (1) above, on the first day of January and July of every calendar year irrespective of whether it is an even or uneven year.

<sup>+</sup>(ii) When a Government servant joins a new post without availing of the full joining time as admissible under sub-rule (4) of Rule 5 of the Rajasthan Civil Services (Joining Time) Rules, 1981, subject to the maximum of 15 days, reduced by the number of days actually availed off, shall be credited to his leave account as earned leave, provided that earned leave already at his credit together with the credit given under this sub-clause does not exceed =300 days.

(b) No deduction in leave balance shall be made if a Government servant remains on any kind of leave other than extraordinary leave. If a Government servant remains on extraordinary leave in a half year, deduction shall be made at the rate of one tenth of the period of extraordinary leave during that half year subject to a maximum of 15 days or 21 days in case of R.A.C. personnel.]

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<sup>=</sup> The existing words and figures \$240 days substituted vide FD Notification No. F.1(5)FD/Rules/96 dated 2.4.1998 w.e.f. 1.1.1998.

\$ The existing words and figures 180 days substituted vide FD Notification F.1(49)FD(Gr.2)82 dated 28-12-1991.

\*Substituted vide F.D. Notification No. F.1(49)FD(Gr.2)/82, dated 5-11-1984, w.e.f. 1-1-1985 for:—

"(2)(a) Each employees privilege leave account shall be credited with 30 days privilege leave or 42 days privilege leave in the case of R.A.C. as provided in clause (b) of sub-rule (1) above, on 1st January every year irrespective of whether it is an even or uneven year. The leave taken during the course of calendar year from time to time shall be accounted for from the balance of privilege leave.

(b) No deduction in leave balance shall be made if a Government servant remains on any kind of leave other than extraordinary leave. If a Government servant remains on extraordinary leave during a calendar year, deduction shall be made at the rate of one- tenth of the period of extraordinary leave subject to a maximum of 30 days or 42 days in case of R.A.C personnel."

<sup>+</sup> Sub-clause (a) renumbered as (a) (i) and sub-clause (ii) Inserted vide F.D. Notification No. F.1 (49) FD/Gr-2/82, Dated 10-12-85.

**Government of Rajasthan's Decision.**

@ [The undersigned is directed to invite attention of Finance Department Notification of even number dated 22-2-1983 under which procedure for credit of privilege leave has been revised and credit of privilege leave for a calendar year has been allowed in advance on the commencement of a new calendar year i.e. on 1st January at the respective prescribed rates with the retrospective effect from 1-1-1983. The retrospective operation of the provisions contained in the aforesaid Notification has put the balance of the privilege leave account of certain Government servants comparatively in a disadvantageous position.

2. Accordingly the matter has been looked into and the Governor has been pleased to order that in respect of the calendar year 1983, a Government servant may opt for credit of privilege leave into their privilege leave account on the basis of monthly credit as is allowed in the case of Government servants appointed during the calendar year. The rate of credit of privilege leave into privilege leave account on monthly basis is given below: —

<i>Category of Government servants</i>	<i>Rate of credit of P.L, per month.</i>
(1) Government servants who are entitled for 30 days privilege leave in a calendar year	2-1/2 days,
(2) R.A.C. personnel	3-1/2 days
(3) Staff of Courts	1 day.

3. Those Government servants who wish to avail aforesaid opportunity shall convey their consent to the leave sanctioning authority within a period, of two months in writing from the publication of this order in the Rajasthan Rajpatra.]

(3). Subject to the provisions of rule 59 the maximum amount of privilege leave that may be granted to a Government servant at a time shall be 120 days, but in case the privilege leave is taken for the purpose of undergoing treatment for T. B., leprosy or cancer or a mental disease in a recognized Sanitoriurn/Hospital, the maximum period for which privilege leave can be granted shall be <sup>^</sup>'300 days' at a time.

\* [(4) (a) A Government servant shall earn privilege leave at the rate of 2-1/2 days, or 3-1/2 days in case of R.A.C. personnel deployed on deputation to

@ Inserted vide F.D. Memo No.F.I(49)FD(Gr.2)/82, dated 28-3-1984,

<sup>^</sup> The existing words and figures “\*240 days” substitutted vide FD Notification No. F.1(5)FD/Rules/96 dated 2.4.1998 w.e.f. 1.1.1998.

\* The existing words and figures “180 days” substitutted vide FD Notification No. F.1(49)FD/Gr.2/82 dated 28.12.1991.

\* Substituted vide F.D. Notification No. F.I (49)FD(Gr.2)/82, dt. 5-11-1984, w.e.f. 1-1-1985, for:—

Indian Reserve Battalion, for each completed month of his service in a half year in which he is appointed.

(b) In case of resignation, termination, discharge, removal or dismissal from service or death while in service or on retirement from service the privilege leave shall be reckoned with effect from 1st January or 1st July as the case may be in the half year of occurrence of the event and credited to his leave account at the rate of 2-1/2 days or 3-1/2 days in case of R.A.C. personnel for each completed calendar month upto the end of the month in which he ceases to be in service.]

\$Deleted GRD.

# [91.A. **Encashment of privilege leave while in Service:—**

(l) (i) A Government servant may, on surrender of privilege leave not exceeding 30 days <sup>+</sup>(once) in a block of two years, first block commencing from 1-4-1982, be granted leave encashment equal to the period of leave surrendered.

@ [Provided that no encashment of privilege leave may be allowed to a temporary Government servant unless he has completed one year of service. The block year will not be changed.]

(ii) The number of days of privilege leave surrendered shall not be referred to any particular period but may be reckoned as surrendered on the date of application of leave for encashment benefit and debited against the leave account of Government servant.

"(4) (a) A Government servant shall earn privilege leave at the rate of 2-1/2 days or 3-1/2 days in case of R.A.C. personnel deployed on deputation to Indian Reserve Battalion for each completed month of his service in a calendar year in which he is appointed.

(b) In case of resignation, termination, discharge, removal and dismissal from service or death while in service or on retirement from service the privilege leave shall be re-reckoned with effect from 1st January in the year of occurrence of event and credited to his leave account *at* the rate of 2-1/2 days or 3-1/2 days (in case of R.A.C. personnel) for each completed calendar month up to the end of month in which he ceases to be in service."

\$ Inserted vide FD Notification No.F.1(49)FD(Gr.2)/82 dated 27-01-1995 and deleted vide FD Notification No.F.1(4)FD(Rules)98 dated 23/27-03-1999.

**"Government of Rajasthan's Decision**

In order to avoid delay in getting cash payment in lieu of unutilized privilege leave on the date of retirement, it has been decided that the competent authority may issue orders for cash payment one month in advance of the date of retirement on receipt of application from the concerned Government servant, but the payment of the same shall be made only after the actual retirement of the Government servant has come into effect.

During the period from the date of sanctioning cash payment and, actual retirement, ordinarily no privilege leave shall be sanctioned to him. If in emergent circumstances, any leave is required to be sanctioned the orders earlier issued for cash payment shall be simultaneously revised by the leave sanctioning authority."

# Inserted vide FD Notification No.F.1(49)FD(Gr.2)/82, dated 22.2.1983 w.e.f. 1.1.1983 in place of following Government Rajasthan's Decision- (See at the end of this chapter)

<sup>+</sup> Inserted vide F.D. Notification No. F.1 (66) FD (Gr.2)/85, dated 30-12-1985 effective from 1-1-1983.

@ Inserted vide F.D. Notification No. F.1 (49) FD (Gr.2)/82, dated 13-9-1983 Effective from 1-1-1983.

## SECTION III

### ***Special Disability Leave.***

99. **Special disability leave when admissible.** —Subject to the conditions specified in this section Government may grant special disability leave to a Government servant who is disabled by injury intentionally inflicted or caused in or in consequence of the due performance of his official duties or in consequence of his official position.

(ii) Such leave shall not be granted unless the disability manifested itself within three months of the occurrence to which it is attributed and the person disabled acted with due promptitude in bringing it to notice. But the Government, if it is satisfied as to the cause of the disability, may permit leave to be granted in cases where the disability manifested itself more than three months after the occurrence of its cause.

(iii) The period of leave granted shall be such as is certified by a Medical Board to be necessary.

### ***Government of Rajasthan's Decisions.***

@Clause (iii) of Rule 99 of Rajasthan Service Rules provides that the period of Special disability leave granted shall be such as is certified by a Medical Board.

It has been decided that in the case of R.A.C. Battalions posted within Rajasthan the Medical Board for the purpose of aforesaid clause shall consist of the following: —

- |  |   |
|--|---|
| (a) For Company Coma-<br>ndent & others above<br>the rank. | (i) Officer-in-charge of hospital where<br>treatment is being accorded, and   |
|  | (ii) P. M.H.O./ D. M.H.O. of the district<br>and where he is also the incharge of<br>the hospital as in (i) then an officer<br>named by P.M. H.O./ D.M. H.O., and |
|  | (iii) Medical Officer of the Battalions   |
| (b) For others   | (i) One Medical Officer of the<br>hospital where treatment is being<br>accorded to be named by Officer-in-<br>charge of the hospital, and                         |
|  | (ii) Medical Officer of the Battalion.  |

In the case of R.A.C. Battalions posted outside Rajasthan, the Medical Board shall consist of the following: —

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@ Inserted by F.D- Memo. NO.F.1(57)FD(Exp. Rules)65-II, dated 2-11-1966, Effective from 5-9-1965.



- (a) Platoon Commander & other below that ranks requiring special disability leave not exceeding 2 months. Medical Officer of the Battalion to be single Member of the Board.
- (b) For all officers of the Battalion not covered by (a) above. (i) Officer-in-charge of hospital where treatment is accorded, and (ii) Medical Officers of the Battalion.

(iv) **Period of disability leave.** —It shall not be extended except on the certificate of a Medical Board, and shall in no case exceed 24 months. Such leave may be combined with leave of any other kind.

(v) Special disability leave may be granted more than once if the disability is aggravated or reproduced in similar circumstances at a latter date, but not more than 24 months of such leave shall be granted in consequence of any one disability.

(vi) **Disability leave counts as duty for pension.** —Such leave shall be counted as duty in calculating service for pension.

(vii) **Leave salary during disability leave.** —Leave salary during such leave shall be equal—

(a) for the first 120 days, <sup>X</sup>[ ] of any such leave including a period of such leave granted X [to Government servants in Superior service] under clause (v) of this rule, to leave salary in accordance with clause (1) to Rule 97, and

(b) for the remaining period of any such leave X[to Government servants in Superior service] to half pay <sup>%</sup>[in accordance with proviso to clause (2) of Rule 97] or at the Government servant's option, for a period of not exceeding the period of privilege leave which would otherwise be admissible to him, to average pay. <sup>@</sup>[In the latter case half the period of such leave shall be debited to his privilege leave account].

**\*Exception:** —In case of a member of Police Force who remains in Government Hospital for the treatment of injury received in encounter with dacoits, leave salary during such leave shall, notwithstanding the provisions of paras (a) and (b), be equal to the pay he would have drawn had he remained on duty. For the remaining period of such leave, leave salary shall be regulated in accordance with paras (a) and (b) of this clause.

<sup>X</sup> Inserted by F.D. NO. F.1 (97) R/56, dated 11-9-1956 by deleting the words or "60 days according as the service is superior or class IV Service" after the words "120 days".

<sup>%</sup> Substituted for the words "in accordance with clause (2) of Rule 97" vide F.D. Order No. F.16 (12) F.D.A. (Rules) 58-1 dated 30-5-1961

<sup>@</sup> Added vide F.D. No. 3009/60 F.7a (55) F. D.A. (Rules)/59 dated 1-7-1960

<sup>\*</sup> Added vide F.D Notification No. F.1 (11) F.D.A. (Rules)/62 dated 4-4-1962.

## SECTION IV

### **Maternity leave.**

**103. §Maternity Leave** – Maternity leave may be granted to a female Government Servant with less than two surviving children upto a period of 135 days from the date of its commencement. However, if there is no surviving child even after availing it twice Maternity Leave may be granted on one more occasion.

During such period she will be entitled to leave salary equal to pay drawn immediately before proceeding on leave. Such leave shall not be debited to the leave account but such entry should be made in the service book separately.

### NOTE.

**\*Note :** Maternity leave may also be granted to a female Government servant with less than two surviving children, in case of miscarriage including abortion

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<sup>§</sup> The existing rule except Note and clarification substituted vide FD Notification No. F.1(43)FD/Rules/83 dated 6.12.2004

<sup>&</sup>**Maternity Leave** – A competent authority may grant maternity leave to a female Government servant twice during the entire period of her service. However, if there is no surviving child even after availing of it twice, maternity leave may be granted on one more occasion.

The maternity leave may be allowed on full pay for a period which may extend upto the period of 120 days from the date of its commencement.

<sup>&</sup> The existing rule excluding Note and GRD and clarification substituted vide FD Notification No. F.1(5)FD/Rules/96 dated 2.4.1998 w.e.f. 1.1.1998.

<sup>@</sup> **[103. Maternity leave.** —A competent authority may grant "Maternity Leave" to a female Government servant thrice during the entire period of her service. However, if there is no surviving child even after availing of it thrice, Maternity Leave may be granted on one more occasion.

£The maternity leave may be allowed on full pay for a period which may extend upto the period of 90 days from the date of its commencement.

<sup>@</sup> Substituted vide F.D. Notification No. F. 1(43) FD (Gr.2)/83, dated 2-2-1984 for: —

+ "[A competent authority may grant "Maternity leave" to a woman Government servant thrice during the entire period of her service on full pay for a period which may extend upto the end of three months from the date of its commencement or to the end of six weeks from the date of confinement whichever be earlier.

A woman Government servant who has already been granted maternity leave three times or more prior to the-issue of these orders shall not be entitled to maternity leave in future.]"

+Substituted vide FD Notification No. F.1(88)FD(R)71 dt. 17.12.1971 for-

"103. A competent authority may grant to a woman Government servant "Maternity leave" on full pay for a period which may extend up to the end of three months from the date of its commencement or to the end of six weeks from the date of confinement whichever be earlier."

£ Substituted vide FD Notification No. F.1(43)FD(Gr.2)/83 dated 25.5.1985 for-

[The Maternity Leave may be allowed on full pay for a period which may extend upto the end of three months from the date of its commencement or to the end of six weeks from the date of confinement whichever is earlier.]

\* Substituted vide FD Notification No.F.1(43)FD/(Gr.2)/83 dated 14.7.2006

<sup>@</sup>Maternity leave under this rule may also be granted in cases of Miscarriage, including abortion, subject to the conditions that: —

(i)the leave does not exceed six weeks, and

(ii)the application for the leave is supported by a certificate from the Authorised Medical attendant.

<sup>@</sup>Substituted vide FD Order No. 12(1)F.11/54 dt. 17.10.1955.

"Note: —Maternity leave under this rule may also be granted in cases of miscarriage, including abortion, subject to the following conditions: —

either once or twice subject to total of six weeks during the entire service provided that the application for leave is supported by a certificate from the authorised medical attendant.

### **Government of Rajasthan's Decision.**

<sup>^</sup>1. Maternity leave is also admissible to temporary female Government servants under this Rule.

<sup>^</sup>2. Maternity leave is not admissible in case of incomplete abortion.

### **"Clarification"**

<sup>§</sup>'Abortion' does not include 'threatened abortion' and maternity leave cannot be granted in the case of threatened abortion.

**&103A. Paternity Leave :** A male Government servant with less than two surviving children may be granted paternity leave (maximum two times) for a period of 15 days during confinement of his wife i.e. 15 days before to three months after childbirth and if such leave is not availed of within this period it shall be treated as lapsed.

During the period of such leave, the Government servant 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 but such entry should be made in the service book separately and may be combined with any other kind of leave (as in the case of maternity leave).

Such leave shall not be allowed in case of miscarriage including abortion of the Government servants wife.

<sup>+</sup> "104. **Combination of other leave with maternity leave** – Maternity leave may be combined with any other kind of leave".

(i) that the woman Government servant, if temporary, has been in continuous service for not less than one year before the commencement of the leave, and  
(ii) that the leave does not exceed six weeks and the application of leave is supported by a certificate from the Authorised Medical Attendant."

<sup>^</sup> Inserted by F.D. 'Order No. F.12 (1) F. 11/54, dated 25-2-1955.

<sup>^^</sup> Inserted vide F. D. Memo No. D6603/59F. 7A (17) F.D.A., (Rules) 57 dated 13-1-1960.

<sup>§</sup> Inserted vide F.D. Notification No. F.I (43) FD (Gr.-2)/83 dated 25-5-1985.

<sup>&</sup> Inserted vide FD Notification No.F.1(43)FD/(Gr.2)/83 dated 6.12.2004

<sup>+</sup> Substituted vide FD Notification No.F.1(5)FD/Rules/96 dated : 26.2.2002

<sup>%</sup>104. **Combination of other leave with maternity leave**, —Maternity leave may be combined with leave of any other kind, but any leave applied for in continuation of the former may be granted only if the request be supported by a Medical Certificate.

<sup>%</sup> Substituted for "Leave of any other kind may be granted in continuation of maternity leave if the request for its grant be supported by a Medical Certificate" by F.D. Order No. F.12 (1) F.I 1/54 dated 31-8-1955.

^ NOTE

@ **Clarification.**

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^ Deleted vide FD Notification No. F.1(5)FD(Rules)96 dt. 26.2.2002-  
Privilege leave to the extent admissible under Rule 91 may be granted in continuation of maternity leave if the request for such leave is supported by a Medical Certificate.

@ Deleted vide FD Notification No.F.1(5)FD/Rules dated : 26.2.2002

#The female Gazetted Government servants applying for grant of 'leave under Rule (104 of R.S.R.) should, like all Gazetted Government servants applying for leave on medical certificate, produce the required certificate from a medical committee in accordance with Rules 71-72 of Rajasthan Service Rules, unless this requirement is relaxed under Rule 74 by the authority competent to grant leave.

# Inserted by F.D. Order No. 4785/F. 7A (17) F.D.A./Rules/57, dated 31 -7-1957".

## SECTION V

**Hospital Leave**

## NOTES

1.—In the case of a person to whom the Workmen's Compensation Act, 1923 applies, the amount of leave salary payable under these rules shall be reduced by the amount of compensation payable under the said law.

\*2.—In the case of a person to whom the provisions of Employees' State Insurance Act, 1948 apply, leave salary payable under these rules shall be reduced by the amount of benefit admissible under the said Act for the corresponding period.

@105. **Extent of admissibility of Hospital Leave.**—A competent authority may grant hospital leave to a Class IV Government servant and to such Ministerial and Subordinate Government servants whose pay at the time of admission to hospital is less than <sup>1</sup>[Rs.5000/-] and whose duties involve handling of dangerous machinery, explosive materials, poisonous drugs etc. or the performance of hazardous tasks, while under

\* Inserted vide F.D. Notification No. F. 1 (52) F D (Exp. Rules)/ 67, dated 12-6-1968.

@ Substituted vide F. D. Order No. F. 1, (51) F. D-A, (Rules)/61, dated 18-12-1961 effective from 1-9-1961-

"105. A competent authority may grant Hospital leave to Government servants of the following classes while under medical treatment for illness or injury, if such illness or injury is directly due to risks incurred in the course of their official duties:—

- (a) Police officers of rank not higher than that of a Head Constable.
- (b) Forest subordinates other than clerks in receipt of a pay not exceeding Rs. 40/-p.m.
- (c) Head Warders or Warders or Jails or Mental Hospital and Matrons of Jail Department.
- (d) Government servant employed in Government Presses whether on fixed pay or at piece rates other than those in permanent superior service, who are subject to the special leave rules applicable to Press employees.
- (e) Subordinates employed in Government Laboratories.
- (f) Subordinates of the Engineering Department drawing a pay not exceeding Rs. 120/-p.m. if the illness or injury is caused by shock received by them from high electric voltage in attending to electric installation, for charging plant or to lines at power crossings.
- (g) Subordinates of other department employed on the working of Government machinery.
- (h) Members of Class IV service in permanent employ,
- (i) Subordinate Customs staff of rank not higher than that of a Jamadar."

<sup>1</sup> The existing word and figure \*"Rs.1640/-" substituted vide FD Notification No.F.1(5)FD/Rules/96 dated 2.4.1998 w.e.f. 1.1.1998.

\* Substituted for the words & figures +"Rs. 1520/- vide F.D. Notification No. F 1 (68) F.D. (Gr.2)/86 dt. 23-9-89.

+ Substituted vide F.D. Notification F.1 (68) FD (Gr.2)/86 dated 2-2-87 w.e.f. 1-9-86 for the words & figurs. ^"Rs.840/-.

^ Substituted vide Notification No. F. 1 (54) F.D./Gr.2/82, dated 14-12-1983 for @ [Rs.540/-

@ Substituted vide F.D. Notification No. F. 1 (54) F. D./Gr.2/82, dated 17-2-1983 effective from 1-9-1881 for the existing words & figures \$[Rs. 400/-]

\$ Substituted vide F.D. Notification No. F. 1(9) F.D. /Gr. 2/77, dated 26-5-1978 effective from 1-9-1976 for words and figures. "Rs. 100/-".

medical treatment for illness or injury if such illness or injury is directly due to risks incurred in the course of their official duties.

<sup>x</sup>[ ]

%106. **Leave salary during Hospital Leave:**—Hospital leave may be granted on leave salary <sup>§</sup>[either under Rule 97 (1) or 97 (2)] and for such period as the authority granting it may consider necessary.

%107. Deleted.

108. **Combination of other leave with Hospital Leave:**—Hospital Leave in addition to other forms of leave that may be admissible to a Government servant under these rules.

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<sup>x</sup> Deleted vide F.D. Notification No. F. 1 (9) F.D./Gr.2/77, dated 26-5-1978 effective from 1-9-1976, the following:—

"Provided that in the case of Constables, Head Constables and persons of equivalent rank employed in Rajasthan Armed Constabulary and posted in border area as defined in General Administration Department Order No. F. 1 (21) GA/A/Gr. 11/64 dated the 8th May, 1964 the limit of pay referred to in the rule shall be Rs. 105/- at the time of admissible to hospital."

(Inserted vide F.D. Notification No, F.1 (43) F D (ER) 64, dated 17-11-1964.)

<sup>%</sup> substituted for Rule 106 and deleted Rule 107 vide F.D. Notification No. F. 1 (52) F.D. (Exp. Rules)/67, dated 12-6-1968.

106.Hospital leave may be granted on leave salary equal to either average or half average pay as the authority granting it may consider necessary.

107.The amount of Hospital leave which may be granted to a Government servant is limited to three months on average pay in any period of three years. Hospital Leave on half average pay counts for the purpose of this limit as half the amount of leave on half average pay.

<sup>§</sup> Substituted vide F.D. Notification No.F.1 (9) F.D./Gr.2/77, dated 26-5-1978 effective from 1-9-1976, for words "equal to either average or half average."

## SECTION VI

### **Study Leave**

109. **Applicability.**—The following rules relate to Study leave only. They are not intended to meet the cases of Government servants deputed to other countries at the instance of Government, either for the performance of special duties imposed on them or for the investigation of specific problems connected with their technical duties. Such cases will be dealt with on their merits under the provisions of Rule 51.

**\*110. Admissibility of study Leave.**- (1) Study leave will be admissible to a permanent Government servant to pursue course of study or investigation of a scientific or technical nature which in the opinion of the sanctioning authority is considered necessary in the public interest for the working of the department in which he is employed. It will ordinarily be not granted to a Government servant who has completed 20 years of service or more.

(2) Notwithstanding the provisions contained in sub-rule (1) study leave will also be admissible to a temporary Government servant who has

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\* Substituted vide FD No.F.1(44)FD/Gr.2/79 dt. 24.12.1979

@ "**110. Admissibility of study leave.** — Study leave will be admissible to a permanent Government servant to pursue a course of study which is necessary in public interest for the working of the department in which he is employed.

#### *Exceptions.*

£ 1. Teachers of Education Department whether temporary/ permanent/Officiating who undergo professional training on or after 1-7-1965 shall be entitled to study leave under this rule provided they had been appointed before 31-3-1963.

£ Inserted vide FD Noti. No.F1(56)FD(E-R)/66 dated 6-09-1966 w.e.f. 1-7-1965.

\*2. Temporary Government servants who are members of Scheduled Castes / Tribes and have completed 3 years continuous service shall be entitled to study leave under this rule provided that the initial appointment was made on the advice of R.P.S.C. in case the post was within the purview of the R.P.S.C., while in other cases appointment should have been made in accordance with rules for regular direct recruitment under the service rules concerned."

\* Inserted vide FD Noti.No.F.1(56)FD(Gr.2)76 dated 13-5-1976.

#### *Government of Rajasthan's Decision.*

^Under Rule 110 of the Rajasthan Service Rules, it has been decided to extend the study Leave Rules contained in section VI, Chapter XI of Rajasthan Service Rules to the Government employees belonging to Scheduled Castes and Scheduled Tribes for the purpose of prosecuting, higher studies."

^ Inserted vide FD No.I.D.4494/F.7A(21)FDA/Rules/59 dated 17-08-1959.

@ Substituted vide F D Notification No. F. 1 (53) FD (E-R)/65, dated 18-10-1965 for—

110. Study Leave, will be ordinarily admissible to Government servants serving in the Public Health, Medical and Medical Research Departments, the Civil Veterinary Department, the Factory Department, the Agriculture Department, the Education Department, the Public Works Department and the Forest Department.

The rules may be extended by Government to any Government servant not belonging to any of the departments mentioned above, in whose case Government is satisfied that leave should be granted, in the public interests, to pursue a special course of study or investigation of a scientific or technical nature.