

**Government of Rajasthan
Finance Department
(Rules Division)**

F.1(5)FD/Rules/2020


Jaipur dated : 23 OCT 2020

All Officers of Rajasthan Accounts Service.

Sub :- Regarding observations/comments on FAQs with answers about Rajasthan Services Rules, 1951

As directed, 25 more FAQs Sr. N. 26 to 50 with answers related to Rajasthan Services Rules, 1951 have been prepared and a draft is enclosed herewith. It is requested to go through these FAQs with answers and submit observations / comments on osdfrules@rajasthan.gov.in latest by 05-11-2020, so that these FAQs can be uploaded on FD's website.

Encl: As above (FAQs)


(S.K. Verma)
Joint Secretary-I, FD (Rules)

Copy to Technical Director, Finance Department for uploading this letter alongwith FAQs on FD website.


Joint Secretary-I, FD (Rules)

26. Is increment payable to a probationer trainee Government Servant who was in regular service of State Government and allowed pay in his/her level in the Pay Matrix of the previous post?

A probationer trainee who was already in regular Government service is entitled to increments in the existing pay scale during the period of probationer trainee (if he/she opts the existing pay scales of the old service).

27. When first annual increment shall be allowed to the new employee after completion of probationer training period ?

As per Rule 13(2) of RCS (RP) Rules, 2017. every new recruit on completion of probation period successfully shall be allowed first annual increment on 1st July, which immediately follows the date of completion of probation period.

In case an employee who completes probationer training period on 30th June shall be fixed at minimum of level (first cell) in the Pay Matrix on 1st July and 1st increment after completion of one year i.e. next July.

28. How leave is earned by regular Government Servant ?

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.

29. Can leave 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 revoke leave due and applied for under this rule, it is not open to him to alter the nature of such leave.

30. Who is competent to sanction leave to Government Servant ?

Schedule IX of RSR Voll-II provides delegation of powers;- Except study leave Head of offices is competent to sanction leave up to 4 months for officers working under him.

In the case of maternity leave, the Head of office is competent to sanction maternity leave upto 180 days.

Head of Department is fully competent to sanction leave to member of staff other than Gazetted officers working under him. In the case of Gazetted

officers full powers for which he is authorised to make substantive appointment and in other case upto 4 months only.

Administrative Department is fully competent to sanction leave to staff of the department.

31. Who is competent to sanction study leave to Government Servant ?

Schedule IX of RSR Voll-II provides delegation of powers;-

Administrative Department is fully competent to sanction study leave to staff of the department.

Head of Department is fully competent to sanction study leave in respect of non gazetted Government Servant.

32. What is the maximum period of leave of any kind which can be allowed to a Government servant ?

No Government servant shall be granted leave of any kind for a continuous period of 5 years. (Rule 23(1) of RSR)

33. To whom application for leave should be submitted?

An application for leave or extension of leave must be made to the authority competent to grant such leave or extension.

34. What is the impact if a Government servant absent from duty without sanction of leave?

A Government servant who is absent from duty without leave or before leave applied for has been sanctioned by the competent authority shall be treated to have remained wilfully absent from duty and such absence shall amount to interruption in service involving forfeiture of past service unless, on satisfactory reasons being furnished, the absence is regularized by grant of leave due or is commuted into extra-ordinary leave by the authority competent to sanction leave. (Rule 86(1) of RSR)

35. What is the major penalty if a Government servant absent from duty without sanction of leave?

Notwithstanding the provisions contained in sub-rules (1) and (2) of Rule 86 of RSR the disciplinary authority may initiate departmental proceeding under Rajasthan Civil Services (Classification, Control & Appeal) Rules against a Government servant who wilfully remains absent from duty **for a period exceeding one month and if the charge of wilful absence from duty is proved against him, he may be removed from service.**

36. What is the treatment of wilful absence from duty not recognised?

Wilful absence from duty, even though not covered by grant of leave does not entail loss of lien. The period of absence not covered by grant of leave shall have to be treated as 'dies non,' for all purposes, viz. increment, leave and pension. Such absence without leave where it stands singly and not in continuation of any authorised leave of absence will constitute an interruption of service for the purpose of pension and the entire past service will stand forfeited.

37. Can a Government servant who has taken leave on medical certificate return to duty without production of a medical certificate of fitness?

A Government servant who has taken leave on medical certificate may not return to duty until he has produced a medical certificate of fitness in the form prescribed under rule 83 of RSR.

38. Can a Government servant return from leave before due date ?

A Government servant on leave may not return to duty before the expiry of the period of leave granted to him, unless he is permitted to do so by the authority which granted him leave.

39. Can one leave be combined with other kind of leave ?

Any kind of leave may be granted in combination or in continuation of any other kind of leave.

Casual leave cannot be combined with regular leave but Restricted Holidays (RH) can be prefixed or suffixed to regular leave or casual leave.

40. How much privilege leave are earned by a Government servant in a year and maximum limit of accumulation ?

A Government servant whether temporary or permanent shall be entitled to privilege leave of 30 days in a calendar year.

Generally a Government servant shall be entitled to accumulate leave upto a maximum period of 300 days.

41. How shall privilege leave be credited in PL account of a Government servant?

The leave account of every Government servant shall be credited with privilege leave, in advance, in two instalments 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.

42. How a Government servant shall earn privilege leave who completes probationer trainee period during the calendar year?

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 half year in which he completes probationer trainee period.

43. How fraction shall be treated in the privilege leave account at the time of retirement?

If there is any fraction of day in the unutilised privilege leave at the time of retirement then the fraction of a day below half should be ignored and fraction half or more should be reckoned as a day.

44. Whether privilege leave shall be deducted if a Government servant remain on leave?

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.

45. How shall privilege leave be credited in PL account of teaching staff?

Teaching staff in Schools, Polytechnics, Arts and Science, Colleges shall be entitled to 15 days privilege leave in a calendar year. The leave account of every Government servant shall be credited with 15 days Privilege leave immediately after expiry of every calendar year.

46. How much casual leave can avail by a Probationer-trainee ?

Probationer-trainee shall be eligible for Casual Leave of 15 days in a calendar year and for period of less than a calendar year it shall be admissible in proportion on the basis of completed months.

47. Which leave can be availed by a Probationer-trainee during probationer-trainee period ?

As per rule 122 A

- (i) Probationer-trainee shall earn no leave during the period of probation. Hence probationer trainee shall not earned Privilege Leave and Half Pay Leave during probation period.
- (ii) Female Probationer-trainee shall be granted Maternity Leave as per Rule 103 and 104 of Rajasthan Service Rules, 1951
- (iii) Male Probationer- trainee shall be granted Paternity Leave as per Rule 103A of Rajasthan Service Rules, 1951

48. Can Probationer trainee avail extra ordinary leave during probation period?

Probationer Trainee shall be granted extra ordinary leave as per guidelines issued vide memorandum No. 1(2) FD/Rules/2006 Pt.I dated 06-01-2020 of FD(Rules).

49. Can Probationer trainee avail child care leave during probation period?

Child care leave 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.

During the period of Child Care Leave, a female Government servant and a single male Government servant shall be entitled to leave salary equal to the pay drawn (fixed remuneration/regular pay of earlier post) immediately before proceeding on leave.

50. Is a Probationer trainee who was already in regular service of State Government entitled to avail due leave of his previous post during the 2 years period of probationer trainee?

Yes, it has to be decided by the controlling authority.

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