

### III. Casual Leave

1. Casual leave is not recognized and is not subject to any rule. Technically, therefore, a Government servant on casual leave is not treated as absent from duty and his pay is not intermitted. Casual leave however, must not be given so as to cause evasion of the rules regarding:-

(i) date of reckoning pay and allowances, (ii) charge of office, (iii) commencement and end of leave, (iv) return to duty, or so as to extend the term of leave beyond the time admissible by rule.

#### Clarification

<sup>1</sup>[ There are occasions when Government servants keep away from duty without obtaining prior sanction of casual leave assuming that such leave would be sanctioned in due course. Attention of all Government servants may, however, be invited to Part III of Appendix I of the Rajasthan Service Rules, Volume II, according to which a person on Casual Leave continues on duty and, therefore, the grant of casual leave is a matter entirely at the discretion of the sanctioning authority. There can thus be no presumption that casual leave asked for will always be sanctioned. If the sanctioning authority considers that Government work will suffer, he may refuse casual leave. A Government servant whose application for casual leave is rejected and who is not present on duty will be guilty of willful absence from duty. Such willful absence amounts to interruption in service involving forfeiture of past services as well as mis - behaviour.]

<sup>2</sup>[राजस्थान सेवा नियम, 1951, खण्ड द्वितीय के परिशिष्ट-1 के अनुभाग -III आकस्मिक अवकाश में दिये गए स्पष्टीकरण के अनुसार किसी राज्य कर्मचारी को आकस्मिक अवकाश का उपभोग करने से पूर्व अपवाद स्वरूप परिस्थितियों के अतिरिक्त ऐसे अवकाश की पूर्व स्वीकृती प्राप्त करना आवश्यक होता है। इसी प्रकार राजस्थान सेवा नियम, 1951 के नियम 86 में प्रवधान है कि एक कर्मचारी बिना अवकाश अथवा सक्षम प्राधिकरी द्वारा उसके आवेदित अवकाश को स्वीकृत करने से पूर्व ही अपने पद/कर्तव्य से अनुपस्थित रहता है तो उसे "कर्तव्य से जानबूझकर अनुपस्थित रहा" माना जावेगा और ऐसी अनुपस्थिति को सेवा में व्यवधान मानते हुये पिछले सेवाकाल को जब्त किया जा सकेगा जब तक संतोषप्रद कारण बताने पर उक्त अनुपस्थिति को अवकाश स्वीकृतकर्ता प्राधिकारी द्वारा उसे देय अवकाश स्वीकृत कर नियमित नहीं कर दिया जाता है अथवा असाधारण अवकाशों में परिवर्तित नहीं कर दिया जाता है।

प्रायः यह देखा गया है कि राज्य के अधिकारियों एवं कर्मचारियों द्वारा निजी कार्यों के लिए विदेश यात्रा हेतु आकस्मिक अवकाश/उपार्जित अवकाश का आवेदन पत्र विदेश यात्रा के प्रारम्भ होने के कुछ दिन पूर्व ही सक्षम अधिकारी को प्रस्तुत किया जाता है, जिसके कारण सक्षम अधिकारी द्वारा अवकाश की स्वीकृती अथवा अस्वीकृती संबंधित अधिकारी को भिजवाने हेतु पर्याप्त समय नहीं रहता है एवं अधिकारी यह मानते हुए कि उनका अवकाश स्वीकृत हो चुका है/ स्वीकृत हो जायेगा, विदेश यात्रा पर रवाना हो जाता है। यह स्थिति राजकार्य को सुचारु रूप से संचालित किये जाने की दृष्टि से उचित नहीं है।

अतः महत्वपूर्ण राजकार्य को सम्पादित करने में कोई बाधा उत्पन्न नहीं होवे, इसको दृष्टिगत रखते हुए निर्देश दिये जाते हैं कि विदेश में निजी यात्रा पर जाने के इच्छुक अधिकारी कम से कम 3 सप्ताह पूर्व सक्षम अधिकारी को अपना अवकाश आवेदन पत्र प्रस्तुत करेंगे, ताकि सक्षम अधिकारी द्वारा यथोचित निर्णय लेकर विदेश यात्रा प्रारम्भ होने की तिथि से पूर्व ही अवकाश की स्वीकृती अथवा अस्वीकृती के संबंध में सूचित किया जा सके।

समस्त विभागाध्यक्षों से अनुरोध है कि वे अपने अधीन कार्यरत अधिकारियों से उक्त निर्देश की कठोरता से पालना सुनिश्चित करावें।

<sup>1</sup> Inserted vide FD Memorandum No. F. 1(44) FD (Exp-Rules)/64, dated 22.5.1965.

<sup>2</sup> Circular No. F. 1(4) FD/Rules/2008, dated 17.2.2012.

## Government of Rajasthan's Instructions

<sup>1</sup>[1. In accordance with 'Clarification' appearing in section-III Casual Leave of Appendix I of the Rajasthan Service Rules, Volume-II a Government servant is required to obtain prior sanction of casual leave before availing of such leave.

It has been represented to Government that some times the Government servant experiences genuine difficulties in obtaining prior sanction for grant of casual leave, because of his own or his family members or relatives illness or for any reason beyond his control. The sanctioning authorities may take a sympathetic view in such cases and on merit of the case, accord ex-post – facto sanction of casual leave for such occasions, e.g. illness, attendance in hospital, attending funerals, even when prior sanction for the same has not been obtained by the Government servant concerned.]

<sup>2</sup>[2. Under Finance Department Memorandum No.F.1(44)FD (Exp-Rules)/64 dated 22.05.1965 (appearing as clarification above) it has been clarified that a Government servant who does not obtain prior sanction of casual leave and whose application for casual leave is rejected by the sanctioning authority and who is not present on duty, will be guilty of willful absence from duty. Such willful absence amounts to interruption in service involving forfeiture of past service as well as misbehaviour, vide Memo No.F.1(34)FD/Rules/70, dated the 30th June, 1970 the leave sanctioning authorities were asked to take a sympathetic view in granting casual leave in cases of genuine nature i.e. where it was not possible to obtain prior sanction for the grant of casual leave.

In order to enforce the provisions of the Finance Department Memo No.F.1(44)FD(E-R)/64, dated 22.05.1965, except in the circumstances narrated in the Finance Department Memo dated 30.06.1970 referred to above, it is necessary that sanctioning authorities should ensure that applications for casual leave are refused before due date and such refusal is communicated to the Government servant concerned. Mass Casual leave, however, will not require individual rejection by the sanctioning authority. The leave sanctioning authority shall, however, pass orders rejecting Mass Casual Leave. A copy of the order issued to this effect that casual leave has not been sanctioned would be placed on the Notice Board by the leave sanctioning authority for information of all concerned. Mass Casual Leave will amount to absence from duty as a strike measure and the Government servants concerned will be considered guilty of wilful absence from the duty.]

<sup>3</sup>[**Regularisation of the period of absence from duty of Government servants who remained on strike during the period from 9th January, 1989 to 23rd February, 1989:** The Governor has been pleased to order that the absence from duty of Government servants who participated in the strike from 9th January, 1989 to 23rd February, 1989 may be regularised by grant of Privilege Leave due and admissible to them. In case Privilege Leave in balance in favour of an employee falls short of the period of absence from duty during which he remained on strike, the residual period shall be adjusted against the Privilege Leave which he will earn in future. In such cases Privilege Leave for any other purpose shall not be granted till full period of absence on account of remaining on strike is adjusted against Privilege Leave. The Privilege Leave sanctioned (due or to be earned) shall be entered in the leave account of each employee.

Every Government servant who desires to get the period of absence from duty regularised in the manner stated above shall be required to apply for Privilege Leave in the prescribed form. In case application for grant of Privilege Leave has been received but sanction of leave as above is likely to take some time, leave salary may be drawn in anticipation of sanction of Privilege Leave as above.

Government servants who are posted in a place other than the place where office of the Head of Office is located shall be required to give an undertaking in regard to the days on which they attended their duties during the period from 9th January, 1989 to 23rd February, 1989. The undertaking will be taken by Heads of Offices invariably from such employees in the following form -

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<sup>1</sup> Inserted vide F.D. Memo No. F. 1 (34) FD (Rules)/70, dated 30.6.1970

<sup>2</sup> Inserted vide F.D Memo NO. F.1 (34) FD (Rules)/70, dated 1910.1970.

<sup>3</sup> Added vide F.D Order No. F.1(1) FD (Gr.2)/89, dated 25.2.1989.

"I hereby solemnly declare that I attended my duties on .....(.....days) during the period from 09.01.1989 to 23.02.1989 and remained on strike for rest of the days, in case my statement is found false or proved untrue, I shall be liable to subject myself to disciplinary proceedings under the Rajasthan Civil Services (Classification, Control and Appeal) Rules, 1958."

The Heads of Offices are requested to satisfy themselves about the period of strike in regard to each employee on the basis of office record of undertakings given by the employees (the condition of undertaking is applicable in respect of those employees only who are posted at places other than the place where office of the Head of Office is located). They are further requested kindly to take immediate steps for regularisation of the period of absence from duty by grant of Privilege Leave in accordance with this order. It may also be ensured that leave application from each employee is obtained and sanctioned by 15.03.1989. Salary for the period from 24.02.1989 onwards may be paid only after Privilege Leave for the strike period is sanctioned (due or to be earned) and entered in the leave account.

This order is issued in relaxation of the provisions contained in the Rajasthan Service Rules and General Financial and Accounts Rules.]

<sup>1</sup>[In continuation of this department order of even number dated 25th February , 1989 the Governor has been further pleased to order that the absence from duty of the Government servants who continued on strike up to 26th February, 1989 may also be regularised by grant of Privilege Leave on the same terms and conditions as stipulated in this department order of even number dated 25th February, 1989.

This order is issued in relaxation of the provisions contained in the Rajasthan Service Rules and General Financial & Accounts Rules.]

<sup>2</sup>[The Governor has been pleased to order that the period of absence from duty of the Government servants who participated in the employees strike from 16.03.1994 but resumed their duties by 25/26.03.1994 to the government, the period of strike from 16.03.1994 to 25.03.1994 may be regularised by grant of Privilege Leave due and admissible to them. In case of Privilege Leave in balance of an employee falls short of the period of absence from duty as above, the residual period shall be adjusted against the Privilege Leave to be earned in future. In such cases Privilege Leave for any other purpose shall not be granted till full period of absence as above is adjusted against Privilege Leave.

The Privilege Leave sanctioned (due or to be earned in future) shall be entered in the leave account of each employee.

Every Government servant who desirous to get the period of absence from duty to be regularised in the manner indicated above, shall be required to apply for Privilege Leave in the prescribed form.

This order is issued in relaxation of the provisions contained in Rajasthan Service Rules & General Financial & Accounts Rules and applies only to those employees who proceeded on strike from 16.03.1994 but resumed their duties on 25.03.1994 pursuant to the appeal made by Government]

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<sup>1</sup> Added vide FD Order No.F.1(1)FD (Gr.-2)/89 dated 28.05.1989

<sup>2</sup> Added vide FD order No.F.1(1)FD(Gr.-2)/89 dated 30.12.1989

<sup>1</sup>[ **Regularisation of the period of absence from duties of the employees who could not attend office due to imposition of Curfew in some of the areas of the Jaipur City** : On account of outbreak of riots Curfew was imposed in some of the areas of the Jaipur City in the afternoon of 27th November, 1989. On account of imposition of Curfew the Government servants involved in the affected areas could not attend office or may not be able to attend office till imposition of Curfew continues.

The matter has been considered and the Governor is pleased to order that the period of absence from duty of the employees who could not or may not attend office so long as Curfew continues in the concerned areas may be regularised by grant of special casual leave of making of an application by the concerned employee and stating therein that he could not attend office due to imposition of Curfew in the area, where he resides or his office is located or the areas through which he has to pass for attending the office.]

<sup>2</sup>[On account of out break of riots in any part of the State, Curfew has to be imposed by the District Administration in the affected areas to control the law and order situation and as a consequence of imposition of Curfew, the Government servants held up in the affected areas can not attend office or may not be able to attend office till imposition of Curfew continues. Some reference for regulating the period of absence from duty of such employees are pending in the Finance Department.

The matter has, therefore, been considered in reference to the previous order of even number dated 07.12.1989 and the Governor is pleased to order that wherever such situation arises, the period of absence from duty of the employees who can not or may not attend office in the duration of Curfew in the concerned areas may be regularised subject to verification of facts, by grant of Special Casual Leave to the concerned employees on making of an application by him stating therein that he could not attend office due to imposition of Curfew in the area where he resides or office is situated or the areas through which he has to pass for attending the office. Past cases occurred in any part of the State till now will be covered by this order. ]

<sup>3</sup>[2.(a) Except as provided in clause (b) of this para the maximum period of casual leave admissible to Government servants will be 15 days in a year subject to limit of 10 days at any one time.

(b)(i) The maximum period of casual leave admissible to Sub-Inspectors, Assistant Sub-Inspectors, Head Constables and Constables of Police Department shall be 25 days in a year beginning from 01.01.1979 subject to a limit of 10 days at any one time.]

<sup>4</sup>[(b) (ii)The maximum period of casual leave admissible to the staff of Fire Services of the Civil Defense Organisation shall be 25 days in a year beginning from 01.01.1980 subject to a limit of 10 days at any one time.]

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<sup>1</sup> Added vide FD order No.F.1(36)FD(Gr.-2)/89 dated 07.12.1989.

<sup>2</sup> Added vide FD order No.F.1(36)FD(Gr.-2)/89 dated 27.11.1990.

<sup>3</sup> Substituted vide FD order No.F.1(17)FD(Gr.-2)/79 dated 26.06.1980.

<sup>4</sup> Added vide FD order No.F.1(17)FD(Gr.-2)/79 dated 26.06.1980.

<sup>1</sup>[**Exception :-** The word 'year' in respect of Government servants of Vacation Department viz, Government Colleges (including Veterinary, Medical etc.), Schools, Polytechnics & other Educational Institutions shall mean year beginning with 1st July and ending on 30th June.

This will come into force with effect from 01.07.1963. The Casual Leave account for the period to 01.07.1963 may be treated as closed with effect from 01.07.1963. This order is applicable to the Government Servants only who enjoy vacations.]

<sup>2</sup>[A question has been raised as to whether casual leave of a year can be combined with the casual leave of next year or not, it is clarified that combination of casual leave of a year is not permissible with the casual leave of next year. For example a Government servant on casual leave at the end of the year viz. on 31st December (or 30th June in case of vacation department) shall not be allowed to avail casual leave on commencement of the next year i.e. on 1st January or 1st July, as the case may be, even though the casual leave of both the years put together does not exceed the prescribed limit of 10 working days at a time.

This clarification shall take effect from 1st January, 1986.]

<sup>3</sup>[In supersession of F.D. Clarification of even number dated 30.12.1985, it is clarified that combination of Casual Leave of a year is permissible with Casual Leave of the next year subject to the condition that the Casual Leave of both the years put together do not exceed the prescribed maximum limit of 10 working days at a time.]

### **Government of Rajasthan's Decisions Concession in Casual Leave to Garwalis, Nepalis and Gurkhas of the R.A.C. Units**

<sup>4</sup>[1. Having regard to the strenuous duties performed and the fact that they have to reside at long distances from their homes, it has been ordered that while proceeding on casual leave for their homes, the Garwalis, Nepalis and Gurkhas of the R.A.C. Units posted on the Indo-Pak border may be allowed a special concession of extra casual leave upto 5 days to cover the actual period spent by them in their journeys to their homes and back, subject to the condition that total period of absence at a time inclusive of holidays, etc. does not exceed 15 days. This concession will be available once a year.]

<sup>5</sup>[2. A question was raised whether part-time employees should also be allowed casual leave like whole-time Government servants. The matter has been examined and it is held that there is no objection to the grant of casual leave to the part-time employees like other Government servants.]

<sup>6</sup>[3. Sundays, Gazetted holidays and weekly off which immediately precede a period of casual leave or come at the end may be prefixed or suffixed to such leave and these falling within a period of casual leave will not be counted as part of the casual leave.

This order will take effect from 1st December, 1964]

<sup>7</sup>[4. Casual leave already enjoyed during the current year will not be affected by this]

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<sup>1</sup> Substituted vide FD order No.F.1(19)FD/(Exp-Rules)/63, dated 30.07.1963.

<sup>2</sup> Added vide F.D Clarification No. F.1(44) FD(Gr.2)/83, dated 30.12.1985.

<sup>3</sup> Added vide F.D Clarification No. F.1 (44) FD (Gr.2)/83, dated 2.4.1991 w.e.f 1.1.1986.

<sup>4</sup> Inserted by Home Department Sanction No. F.1 (1)(52) Home 1/53, dated 21.5.1954.

<sup>5</sup> Inserted vide F.D Memo No. 3003/59/F, 7A (45) F.D.A/Rules/57, dated 12.06.1959.

<sup>6</sup> Substituted vide F.D NO. F.1 (44) FD (ER)/64, dated 24.11.1964.

"3 Sundays and other Gazetted holidays can be prefixed and or suffixed to casual leave provided the total absence on casual leave, together with Sundays or holidays, does not exceed 10 days at a time. Sundays, Gazetted holidays and weekly offs falling within a period of casual leave will not, however, be counted as part of the casual leave."

<sup>7</sup> Inserted vide F.D Order F.35(1) R/51, dated 17.09.1951.

<sup>1</sup>[5. The Government servant should not leave Headquarters or District without obtaining previous permission.]

<sup>2</sup>[6. Attention is invited to para 1 of Section III "Casual Leave" of Appendix-I wherein *Inter alia*, it has been provided that casual leave may not be given so as to cause evasion of Rules regarding commencement and end of leave. These provisions have lead to hardship in case of R.A.C. Force personnel as while proceeding on privilege leave to their homes, they can not prefix casual leave to privilege leave under the existing rules.

The matter has been considered and it has been ordered that the R.A.C. Personnel may be allowed to prefix the whole or unutilized balance of casual leave due, as the case may be, to privilege leave provided that the amount of casual leave so prefixed shall not exceed fifteen days on any one occasion. This order takes effect from 01.06.1964.]

<sup>3</sup>[6A. The undersigned is directed to refer Memo No.F.1(24)FD(E-R)/64 dated 04.06.1964 wherein the R.A.C. personnel were allowed to prefix the whole or un-utilised balance of Casual Leave due, as the case may be, to the Privilege Leave provided that the amount of Casual Leave so prefixed shall not exceed fifteen days on any one occasion. The maximum limit of Casual Leave to Police personnel has been increased from 15 to 25 days vide this department order of even number dated 20.04.1979.

It has been represented that the non-gazetted officials of R Bn. may be permitted to avail 25 days Casual Leave at stretch and combined it with Privilege Leave with a view to provide relief to RAC personnel who visit their hometown as they are serving at far distant places and are facing several hardship there.

The matter has been considered and the Governor has been pleased to order that the R.A.C. personnel may be allowed to prefix the whole or unutilised balance of Casual Leave due, as the case may be, to the Privilege Leave Provided that the number of Casual Leave so prefixed shall not exceed twenty five days on any one occasion.

This order takes effect from 01.01.1984. ]

<sup>4</sup>[7.राजस्थान सरकार के निर्णय संख्या 5 जो राजस्थान सेवा नियम खंड II के परिशिष्ट I के सैक्शन III आकस्मिक अवकाश के नीचे अंकित है, के अन्तर्गत, राज्य कर्मचारी को हैड क्वार्टर से बाहर जाने के लिए पहले आज्ञा प्राप्त करनी पड़ती है।

सरकार के समक्ष ऐसे मामले आए हैं जब कि कर्मचारी हैड क्वार्टर के बाहर आकस्मिक अवकाश पर जाते समय अपने निवास स्थान का पता जहां वे आकस्मिक अवकाश पर रहेंगे, नहीं बतलाते हैं। इससे प्रशासनिक कठिनाइयाँ उत्पन्न हो जाती हैं और सम्बन्धित कर्मचारियों से पत्र व्यवहार भी नहीं किया जा सकता। अतः यह निश्चय किया गया है, कि भविष्य में आकस्मिक अवकाश के प्रार्थना-पत्र में सम्बन्धित कर्मचारी अपने निवास स्थान का पता जहाँ आकस्मिक अवकाश हैडक्वार्टर के बाहर रहना चाहते हैं, अंकित करेंगे। इसी प्रकार अगर कोई कर्मचारी हैडक्वार्टर के बाहर राजपत्रित अवकाश में जाना चाहेंगे तो वे भी अपने निवास स्थान का पता आकस्मिक अवकाश के प्रार्थना-पत्र में अंकित करेंगे।

<sup>5</sup>[8. The officers of the Primary and Secondary Education Department may be permitted by the officer competent to grant them casual leave to undertake academic work such as attending meetings of the Board of Secondary Education, Rajasthan and going as Inspectors, Supervisors and Superintendents for examination duties, and be treated as on duty subject to a maximum of 15 days in a session provided they receive no remuneration either specifically for such attendance or in a lump sum for the entire work except ordinary Travelling Allowance (including daily allowance).

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<sup>1</sup> Inserted vide F.D Order NO. F.5(1) F.D (R)/56, dated 11.01.1956.

<sup>2</sup> Inserted vide F.D Memo NO. F.1(24) F.D (ER)/64, dated 04.06.1964 and 30.07.1964

<sup>3</sup> Inserted vide F.D. Memo No.F.1(17)FD (Gr. 2) /79 dated 11.06.1984

<sup>4</sup> Inserted vide F.D. Memo No.F.1(91)FD (Exp-Rules) /66 dated 21.12.1966.

<sup>5</sup> Inserted vide F.D. Memo No.F.1(46)FD (Rules) /70 dated 27.07.1970.

In cases not covered by this rule, the officers should approach the Competent Authority for grant of casual leave or such other leave as may be due to them under the rules.

The officers concerned must travel by the class for which they are paid for by the Board and will have in every case of duty leave to certify that they have travelled by the class for which they have been paid for by the Board.

Government is in no case responsible for the travelling and daily allowances of such officers for the journeys performed in connection with academic work of the nature mentioned above.]

<sup>1</sup>[9. Under the existing instructions appearing in 'Section-III Casual Leave' of Appendix-I of the Rajasthan Service Rules, Volume-II, a Government servant serving in a non-vacation department is entitled to 15 days casual leave during a calendar year. In respect of those serving in vacation department for grant of casual leave, the 'year' is taken to be beginning with 1st July and ending on 30th June, vide 'Exception' below 'Government of Rajasthan's Decision No.2' therein. Problems have arisen about Casual Leave account of person transferred from a Vacation Department to a non-Vacation Department.

The matter has been considered and it has been decided that casual leave account of a Government servant of a non-Vacation Department on transfer to a Vacation Department or vice versa would lapse. He shall, however, be entitled to casual leave as under in the Department in which he has been transferred in the calendar year or year beginning 1st July, as the case may be, in which he has been transferred:

- (a) upto 3 days for service of 3 months or less
- (b) upto 7 days of service of more than 3 months.]

<sup>2</sup>[10. According to existing provisions contained in "Government of Rajasthan's Decision No.3" appearing under section-III Casual Leave, of Appendix-I of the Rajasthan Service Rules, Volume-II Sundays, Gazetted holidays and weekly off which immediately precedes a period of casual leave or come at the end, may be prefixed or suffixed to such leave and those falling within a period of casual leave will not counted as part of the casual leave.

A question has been raised whether casual leave can be granted in continuation of vacation. The matter has been examined and it has been decided that casual leave should not be granted in continuation or in combination of vacation.

These orders take effect from 01.01.1971. Past claims already decided otherwise need not be reopened.]

### **Instructions for grant of Casual Leave to new Entrants**

<sup>3</sup>[Ordinarily 15 days casual leave is granted to a Government servant in one year, but if any person joins service during the course of the year, he cannot be granted the full quota of 15 days casual leave. Government servants should be granted casual leave in the following manner subject to normal rules :-

- (a) upto 5 days for service of 3 months or less ;
- (b) upto 10 days for service of more than three months but less than six months; and
- (c) upto 15 days for service of more than six months.]

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<sup>1</sup> Inserted vide F.D. Memo No.F.1(49)FD (Rules)/68, dated 14.11.1970

<sup>2</sup> Inserted vide F.D. Memo No.F.1(23)FD (Rules)/69, dated 02.02.1971

<sup>3</sup> Inserted vide F.D. Memo No.F.5(1)FD (Rules)/56, dated 11.01.1956

### **Grant of Casual Leave to retiring employees**

<sup>1</sup>[Ordinarily 15 days Casual Leave is admissible to a Government servant in one year, however, in respect of an employee retiring during the course of the year, casual leave shall be admissible to the extent given below subject to normal rules :-

- (a) upto 5 days for service of 3 months or less in the year of retirement ;
  - (b) upto 10 days for service of more than 3 months but upto 6 months in the year of retirement; and
  - (c) upto 15 days for service of more than 6 months in the year of retirement.
2. This order shall not be applicable in the cases of death while in service.
  3. This order shall come into force with effect from 01.01.2002. Past cases need not to be re-opened.]

### **Government of Rajasthan's Decisions Special Casual Leave**

*Special Casual leave to Government servants permitted to join Territorial Army.*

<sup>2</sup>[A copy of the Government of India, Ministry of Home Affairs, Office Memorandum No. 25/42/51 Estt. dated August 1, 1951, on the above subject is reproduced below. Government of India have decided inter alia that the periods spent in camp by Civil Government servants permitted to join the Territorial Army should not be set off against the ordinary casual leave of the employees concerned but should in all cases be treated as special casual leave and the periods spent in attending a course of instruction by Civil Government servants, who have joined the Territorial Army, should also be treated as duty.

Government is pleased to order that similar treatment be accorded to the Government servants of this State also who join the Territorial Army.

*[Copy of Ministry of Home Affairs - Office Memorandum No. 25/42/51 Esstt. dated the 1st August, 1951, addressed to all Ministries of the Government of India etc.]*

**Subject :** Treatment of the period spent in camp or in a course or instruction by Civil Government servants permitted to join the Territorial Army.

(1) The undersigned is directed to refer to this Ministry's Office Memorandum No. 25/19/40. Estt. dated the 7th July, 1950 regarding the grant of permission to Civil Government servants to join the Territorial Army, and to say that a suggestion has been made that, since the quantum of casual leave has since been reduced from twenty days to fifteen days in a year, the periods spent in camp by Civil Government servants permitted to join the Territorial Army should not be set off against the ordinary casual leave of the employees concerned but should in all cases, be treated as special casual leave. After careful consideration, the Government of India has decided to accept this suggestion. The undersigned is to request that this decision may be noted and communicated to all concerned. The relevant provision in this Ministry's Office Memorandum cited above may also be treated to be modified accordingly.

(2) The Government of India have also decided that the periods spent by Civil Government servants who have joined the Territorial Army in attending a course of instruction, which will vary according to the nature of the course but will not exceed three months in duration in any one case, should be treated as duty in the same way as Government servants would be treated when embodied for supporting or supplementing the regular force. Persons sent on a course of training

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<sup>1</sup> Added vide FD Order No.F.1(8)FD(Rules)/95 dated 20.02.2002 (**RSR 1/2002**).

<sup>2</sup> Inserted vide Political 'B' Deptt. Circular No.F. (1)Pol. (B)/51, dated 06.11.1951.



would also be "embodied" and would therefore be governed by the terms set out in para 4 of this Ministry's Office Memorandum referred to above, in all respects.

(3) In connection with the sending of personnel to attend courses of instruction, the following points should be noted :-

- (i) It would be purely voluntary on the part of the individual concerned whether to attend a course or not; and
- (ii) The prior permission of the Head of his office would be necessary before an individual gives his assent to proceed on a course and it would be quite open to the Head of the Office concerned to refuse such permission if he considers this necessary in the exigencies of service. Ordinarily, however, such a permission should be granted.

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

<sup>1</sup>[It has been ordered that when Civil Government servants are called for training in the Territorial Army / Defence Reserves / Auxiliary Air Force, the period spent by them in transit from the date of their relief from civil posts to the date on which they report to military authorities and vice versa should be treated as special casual leave and during such periods, which should be restricted to the minimum required for purpose, they would be paid pay and allowances at civil rates by their parent departments / offices.]

### **Special Casual leave to officers of Education Department undertaking Academic work**

<sup>2</sup>[At present, there is a provision for grant of Special Casual leave to teachers employed in Government School as well as Colleges <sup>3</sup>[including teachers of Technical Education Department] for undertaking academic work. A number of orders at different point of time have been issued by the Government from time to time to regulate the grant of this Special Casual Leave for academic work. With a view to allay - all doubts in this regard the Governor has been pleased to issue orders as follows:-

(1)The teachers in Government schools and Colleges <sup>3</sup>[including teachers of Technical Education Department] may be granted Special Casual Leave upto a maximum of 15 days in an academic session for the purpose of academic work.

(2) The term 'academic work means' and includes the following types of works :-

- (a) Attending meetings of various bodies of Universities in Rajasthan and Board of Secondary Education, Rajasthan including work undertaken as inspectors on behalf of a University / Board of Secondary Education, provided that they receive no remuneration either specifically for such attendance or in a lump sum for the entire work except ordinary travelling allowance (including daily allowance).
- (b) To conduct practical examinations of the Departments, Universities in Rajasthan; Board of Secondary Education, Rajasthan.

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<sup>1</sup> Inserted vide F.D. Memo No.F.1(44)FD (E-R)/65, dated 08.11.1965

<sup>2</sup> Inserted vide F.D. Order No.F.1(12)FD / Gr.-2/83, dated 01.04.1983

<sup>3</sup> Inserted vide F.D. Order No.F.1(12)FD / Gr.-2/83, dated 29.08.1998.

- <sup>1</sup>[(c) To attend seminars / workshops / conferences of academic nature at State Level or All India level with the specific prior approval of the Director of concerned Education Department.]
- <sup>2</sup>[(d) To read papers at seminars or participate in academic discussion at State Level / District Level Conferences convened within the State by various State Level Association of teachers of particular category / subject.]

(3) The grant of Special Casual Leave for the purposes mentioned in 2 (d) shall be subjected to the following conditions :-

- (a) When a Convention / Conference is organised by an Association of Teachers of a particular category / subject e.g. Lecturer (School Education) Association / Craft Teacher Association, Special Casual leave shall be granted to teachers of that category subject only and not to other teachers.
- (b) If there are more than one Association of a particular category / subject holding Conferences or Conventions to conduct academic discussions of concerned subject speciality, special casual leave not exceeding two days will be granted to attend such meetings / seminars on one occasion only.
- <sup>2</sup>[(c) Special casual leave upto 2 days may be granted for District Level Conferences and upto 2 days for State Level Conferences, but the total days of Special Casual Leave granted to a particular teacher shall not exceed 4 days in an academic session.]
- <sup>3</sup>[(d) No Special Casual Leave shall be granted after 31st January, in an academic session.]
- <sup>4</sup>[(e) The assessment of P.M.T. (Pre Medical Test) Answer books.]

(4) Special Casual Leave for the purpose's mentioned in 2 (d) will be granted by the Director of College Education and Director of Primary & Secondary Education in case of teachers employed in Government Colleges and Schools respectively.

(5) In addition to Special Casual Leave of 15 days allowed for academic work under para 1 above. Special Casual Leave upto a maximum of 10 days in a calendar year will be sanctioned to the office bearers of the Executive Body of State Level Associations which have been recognised by Government in accordance with provisions of Finance Department Order No.F.1(36)FD/Gr.-2/78, dated 07.11.1978.

2. These orders are issued in supersession of the following orders :-

1. F.18(12)Edu/52 dated 13.10.1953.
2. F.1(78)FD /(Exp-Rules)/67 dated 13.12.1967.
3. F.1(3)FD/Rules/69 dated 30.10.1971.
4. F.1(56)FD/Rules/72 dated 21.12.1972.
5. F.1(61)FD/Rules/73 dated 30.01.1973.]

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<sup>1</sup> Substituted vide F.D. Order No.F.1(12)FD (Gr-2)/83, dated 13.04.2004.

<sup>2</sup> Substituted vide F.D. Order No.F.1(12)FD (Gr-2)/83, dated 29.11.1984.

<sup>3</sup> Substituted vide F.D. Order No.F.1(12)FD (Gr-2)/83, dated 24.06.1996.

<sup>4</sup> Added vide F.D. Order No.F.1(12)FD (Gr-2)/83, dated 26.08.1983 effective from 01.04.1983.

3. <sup>1</sup>[It is ordered that officers belonging to Technical Education who conduct practical examination of the Board of Technical Education, Rajasthan, and those of National Council for Training in Vocational Trades, may also be allowed to avail themselves of special casual leave in accordance with Finance Department Order dated 30.01.1973 (appearing as Government of Rajasthan's Instructions No. 3 above.)]

*Grant of Special Casual leave to probationer trainee teachers of Education Department including Technical Education for Academic work.*

<sup>2</sup>[The Governor is pleased to order that the provisions of Finance Department Order of even No. dated 01.04.1983 as amended vide order of even No. dated 29.08.1998 shall also be applicable to the Probationer Trainee teachers of Education Department including Technical Education from the current Academic Session 2011-2012.]

*Grant of academic leave to pursue higher studies / research at Universities under the Faculty Improvement Programme of UGC.*

<sup>3</sup>[The University Grant Commission has introduced Faculty Improvement Programme for raising the academic and professional Competence of teachers in affiliated colleges and would award of Teacher Fellowships to College teachers to pursue higher studies / research at recognised Universities / Institutions for raising their academic qualifications and professional competence. The University Grants Commission has agreed to meet the cost of substitute teacher appointed in place of the teacher selected for the Fellowship. In addition the teacher deputed for aforesaid higher studies would be given the following concessions :-

- (1) Living allowance @ Rs. 250/- p.m.
- (2) Contingent grant of Rs. 1000/- p.a. to meet contingent expenses for research work which will be placed at the disposal of University where he pursues his studies / research.
- (3) Travelling allowance from the place of his posting at the time of deputation to University for research work to the place where he is deputed for studies / research and back.

2. This scheme has been considered and the Governor has been pleased to order that a College teacher selected by the University Grants Commission for such Fellowship under the Faculty Improvement Programme will be granted Academic Leave during the entire period of Fellowship with full pay and allowances which he would have drawn from time to time for his deputation for the aforesaid studies / research. The period of Academic leave shall count for the purpose of increment and pension. It has further been decided that such a teacher may be permitted to accept allowances and grants given by the University Grants Commission in addition to pay and allowances which shall be in the nature of fee; and that such fee accepted by him shall be exempted from the operation of Rule 47 of Rajasthan Service Rules.

3. The University Grants Commission has circulated scheme of Faculty Improvement Programme pertaining to teachers in affiliated colleges to all Universities and Colleges. The teachers of the Government Colleges desirous of availing this facility may send their applications in the prescribed form through the Principal of their respective Colleges to the Director of College Education who shall forward them to the University Grants Commission through the Rajasthan University. In cases of affiliated college teachers selected for higher studies / research under the aforesaid programme the Director of College Education shall claim the salary of the substitute teachers appointed in place of those deputed under the aforesaid programme from the University Grants Commission for credit to the Government Account.]

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<sup>1</sup> Inserted vide F.D. Order No.F.1(43)FD (Gr.-2)/74, dated 28.08.1974.

<sup>2</sup> F.D Order No.F.1 (1) FD (Rules)/2012, dated 14.02.2012.

<sup>3</sup> Inserted vide F.D. Memo No.F.1(48)FD /Gr.-2/76, dated 09.11.1976.

<sup>1</sup>[4. The teachers of affiliated Colleges who are awarded teacher fellowship under Faculty Improvement Programme of U.G.C. shall be required to execute bond in the enclosed prescribed form.

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FIVE RUPEES	INDIA	FIVE RUPEES
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This bond is made on the day of .....19.....by.....(hereinafter called the teacher - fellow) designation .....of the First part and..... (First Surety) .....(Second Surety).....(herein after called collectively the sureties) of the

second part in favour of the Governor of the State of Rajasthan (hereinafter called the Government).

Whereas the Government has permitted Shri.....to accept the award of teacher fellowship of the University Grants Commission to work towards an M.Phil or M. Lit or a Ph.D. degree for the duration of one year / not exceeding three years and has also agreed to protect his total emoluments for this period of the academic leave and also give him the necessary increments as due and to take him back in his substantive post without effecting his seniority and allow him to draw his total emoluments from the college concerned for the duration of his academic leave; and that the teacher fellow has undertaken to engage himself whole time for work on this subject under the direction of the supervisor during the tenure of fellowship and also to serve the department of College Education for a period of five years on his return from advanced study with fellowship.

AND WHEREAS the Government has agreed to permit him to accept the award of teacher fellowship on the terms hereinafter mentioned and on the condition that surety shall give security for the due performance by the teacher fellow of the said terms;

AND WHEREAS the sureties have agreed to give security for the due performance by the teacher fellow of these said terms in the manner hereinafter appearing;

Now this deed witnesses as follows :-

(1) In consideration of the Government permitting the teacher fellow for accepting the award of the teacher fellowship of the University Grants Commission for an M.Phil or M.Litt. or a Ph.D. degree and in pursuance of this agreement the teacher- fellow hereby covenants with the Government that during the period of such teacher - fellowship and within the period of five years after the completion of such teacher - fellowship he shall not resign from his post under the Directorate of College Education, Rajasthan nor shall take up any employment other than a post under the Directorate of College Education, Rajasthan.

(2) For the consideration aforesaid and in pursuance of the said agreement the teacher fellow and the sureties hereby agree that, if during the period of the work of teacher - fellowship or within the period of five years after the completion of the work of teacher - fellowship, the teacher fellow shall resign or take up other employment in contravention of C1. No. (1), above the teacher - fellow and the sureties shall jointly and severally pay to the Government the whole of the emoluments paid by the Government to the teacher fellow during the period of his work of teacher-fellowship together other expenses incurred by the Government there on but excluding the amounts paid to the teacher fellow by way of travelling and daily allowances under the relevant rules :

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<sup>1</sup> Added vide F.D. Memo No.F.1(48)FD /Gr.-2/76, dated 08.04.1981 and shall be deemed to have come into force w.e.f. 09.11.1976.

Provided that the teacher - fellow and sureties shall not be required so to pay the emoluments paid to the teacher - fellow during the period of his work of teacher - fellowship if the work of teacher - fellowship done by the teacher - fellow is in the opinion of the Government likely to prove useful also in the new appointment under the State Government.

In witness whereof this bond has been signed by the teacher fellow and the sureties the day and year above written.

Signed by the teacher fellow

Witness

Signed by the First Surety.

Witness

Witness

Signed by the Second Surety.

Witness

Witness

Certified that sureties mentioned above possess immovable property whose valuation is not less than Rs. 50,000/-.

SWORN AND SIGNED BEFORE ME]

### Technical Education

<sup>1</sup> [The Governor has been pleased to order that officers belonging to Technical Education who conduct practical examination of the Board of Technical. Education, Rajasthan and those of National Council for Training in Vocational Trades, may also be allowed to avail themselves of Special Casual Leave in accordance with FD Order No.F.1(12)FD/(Gr.-2)/83, dated 01.04.1983.]

#### **Grant of academic leave to teachers of Government Colleges under the scheme of National Associateship for visiting national laboratories and institutions for research work .**

<sup>1</sup>[The University Grants Commission has introduced a scheme of National Associateship in Science, Humanities, Social Science, Engineering and Technology and Agricultural subject with a view to assisting outstanding College teachers below the age of 35 years and engaged in research to visit and work for short periods (not exceeding 3 months at a time at other University Centres / Research Institutions /National Laboratories which have special facilities (for example Research Group Laboratories / Library Facilities etc.) relevant to their respective field of work and active research interest.

2. The following two categories of National Associateship Awards are granted under this scheme :-

- (i) (a) **Awards extending over a total of five years period :-** Teachers selected under this programme will be kept on the National Associateship roll for a period of five years from the date of selection and within this period, the teacher concerned can plan and visit the institutions of his choice in India (including Universities, National Laboratories and other institutions engaged in research) for a maximum of three times, once in a year, for period of not more than three months. If a fellow fails to undertake at least one such visit within the initial period of three years from the date of the award, his name will be taken out of the National Associateship Scheme roll.

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<sup>1</sup> Added vide F.D. Memo No.F.1(48)FD /Gr.-2/76, dated 09.07.1982.

**(b) National Associateship extending over one year's duration only :** This short term award has been instituted to enable such teachers, who are selected under the programme to undertake within a period of 12 months of their selection only one visit not exceeding 3 months, to work at any of the Universities / Research Institutions having specialised facilities connected with their research work. Additional visits would not, therefore, be possible.

- (ii) Each National Associate selected under the scheme will carefully plan the visit well in advance, in consultation with the host institution, indicating clearly the programme of work to be pursued, exact period, type of facilities required to be used, and send the same to the University Grants Commission at least six weeks prior to the date scheduled for the proposed visit to the host institution. It should also be accompanied by (a) certificate from parent institution that the period of his visit is treated as on duty with full pay and allowance and (b) certificate from the host institution accepting the visit by the National Associate and to make available necessary facilities for the work mutually agreed upon. Awards should be used for collaborative work with the institutions to be visited on a previously agreed basis and not for attending the symposia, seminars or short term courses etc. At the end of the visit, a brief report of the work done should be sent to University Grants Commission countersigned by both partners within 8 weeks period.

3. This scheme has been considered and the Governor has been pleased to order that a College teacher selected by the University Grants Commission for award under National Associateship under the Faculty Improvement Programme will be granted Academic Leave on full pay and allowances during the period he is required to work under the aforesaid scheme; and the period of Academic Leave shall count for the purpose of increment and pension.

It has further been decided that such a teacher may be permitted to accept allowance (s) and grants given by the University Grants Commission in addition to pay and allowances which shall be in the nature of fee; and that such fee accepted by him shall be exempted from the operation of Rule 47 of Rajasthan Service Rules.

4. The award under National Associateship will be allowed subject to following conditions, namely :-

(1) The teachers who have completed at least five years service as Lecturers after regular selection by the Rajasthan Public Service Commission and have not attained the age of 35 years will only be entitled to be selected for grant of award under the scheme.

(2) A teacher who has been awarded National Associateship will be required to execute a bond in the prescribed form for the following periods;

Period of National Associateship	Period for which bond is to be executed.
(a) One year	Three year
(b) 5 year	Six/Five years.

(3) A teacher will be permitted to proceed on National Associateship only after he has completed his teaching assignment and will be required to give a certificate to this effect duly countersigned by the Head of Department at the time of applying for academic leave under the scheme.

(4) A teacher will be allowed to avail of this facility only on furnishing an undertaking that he/she will undertake all the work of college like checking of answer books, etc. and also any other work assigned to him by the Principal.