

**THE RAJASTHAN MINES & GEOLOGICAL
SUBORDINATE SERVICE RULES, 1960**

[First published in the Rajasthan Rajpatra,
Part IV-C, dated the 4th August, 1960]

GOVERNMENT OF RAJASTHAN
APPOINTMENTS 'D' DEPARTMENT

Notification

Jaipur, June 7, 1960.

No.F. 3(21) Appts. (C)57.-In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor makes the following Rules regulating recruitment to posts in, and the conditions of service of persons appointed to the Rajasthan Mines and Geological Subordinate Service.

**THE RAJASTHAN MINES & GEOLOGICAL
SUBORDINATE SERVICE RULES, 1960**

PART I- General

1. Short title and commencement.- These Rules may be called the Rajasthan Mines and Geological Subordinate Service Rules, 1960 and shall come into force with effect from the date of their publication in the Rajasthan Rajpatra.

@2. Repeal :- Saving.- All Rules and orders in relation to matters covered by these Rules and in force immediately before the commencement of these Rules are hereby repealed.

3. Status of Service- The Rajasthan Mines and Geological Subordinate Service is a Subordinate Service.

@ @4. Definitions.- In these Rules unless there is anything repugnant in the subject or context:-

@ Substituted for Ruls 2. **“Supersession of existing Rules and Orders.-** All existing Rules and orders in relation to matters covered by these Rules are hereby superseded, but any action taken by or in pursuance of such existing Rules and orders shall be deemed to have been taken under these Rules,” vide Industries (B) Department Notification No.F.8(1)(30) Ind./B/63, dated 8-10-1966.

@ @ Substituted for Rule 4. **Defintions.-** In these Rules unless there is anything repugnant in the subject or context:-

- (a) "Appointing Authority" means Director and includes any other persons to whom such powers in that behalf have been delegated by a special or general order of the Government;
- (b) "Commission" means the Rajasthan Public Service Commission;
- (c) "Director" means the Director of Mines and Geology, Rajasthan;
- (d) "Direct Recruitment" means recruitment by the method prescribed by Rule 7;
- £(e) "Government and State" mean respectively Government of Rajasthan and the State of Rajasthan;
- (f) "Member of Service" means a person appointed substantively to a permanent post in the Service under the provisions of these Rules or of Rules or orders superseded by Rule 2;
- (g) "Schedule" means a Schedule to these Rules;
- (h) "Service" means the Rajasthan Subordinate Mines and Geological Service;
- * (i) "Substantive Appointment" means an appointment made under the provisions of these Rules to a substantive vacancy after due selection by any of the methods of recruitment prescribed under these Rules and includes an appointment on probation or as a probationer followed by confirmation on the completion of the probationary period.

Note:- "Due selection by any methods of recruitment prescribed under these Rules" will include recruitment either on initial constitution of Service or in accordance with the provision of any Rules promulgated under proviso to Article 309 of the Constitution of India, except an urgent temporary appointment.

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- (a) "Government" and "State" mean respectively the Government and State of Rajasthan.
- (b) "Commission" means the Rajasthan Public Service Commission.
- (c) "Service" means the Rajasthan Subordinate Mines and Geological Service.
- (d) "Member of Service" means a person appointed substantively to a permanent post in the Service under the Provisions of these Rules or of Rules or orders superseded by Rule 2.
- (e) "Director" means the Director of Mines and Geology Rajasthan.
- (f) "Direct recruitment" means recruitment by the method prescribed by Rules 7.
- (g) "Schedule" means a Schedule to these Rules, vide Notification No.F. 8(1) (30) Ind/(B)/63, dated 8-10-1966.
- £ Substituted for "(e) Government and State mean respectively the Government and State of Rajasthan" vide Notification No.F.7(10) DOP/A-II/74, dated 10-2-75.
 Inserted vide Notification No.F.7(3) DOP/A-II/73, dated 5-7-1974.

+ (j) "Service" or "Experience" wherever prescribed in these Rules as a condition for promotion from one Service to another or within the Service from one category to another or to senior posts, in the case of a person holding a lower post eligible for promotion to higher post shall include the period for which the person has continuously worked on such lower post after regular selection in accordance with Rules promulgated under proviso to Article 309 of the Constitution of India.

Note:- Absence during service e.g. training, leave and deputation etc. which are treated as "duty" under the R.S.R. 1951 shall also be counted as service for computing experience or service required for promotion."

%(k) "Year" means financial year."

5. Interpretation.- Unless the context otherwise requires, the Rajasthan General Clauses Act, 1995 (Rajasthan Act No. VIII of 1955) shall apply for the interpretation of these Rules as it applies for the interpretation of a Rajasthan Act.

PART II-Cadre

-6-A. Composition and strength of the Service.- (1) The nature of

+ Clause (j) of Rule 4 substituted for:-

@ (j) "Service" or "Experience" wherever prescribed in these Rules as a condition for promotion from one Service to another or within the Service from one category to another or to Senior Posts in the case of persons holding such posts in substantive capacity shall include the period for which the person has continuously worked on such post after regular recruitment in accordance with the Rules promulgated under proviso to Article 309 and shall also include the experience gained by officiating, temporary or **ad hoc** appointment, if such appointment is in the regular line of promotion and was not of stop-gap or fortuitous nature or invalid under any law and does not involve supersession of any senior official, except when such supersession was either due to want of prescribed academic and other qualifications, unfitness or non-selection by merit or the default of the senior official concerned, £ or such **ad hoc** or urgent temporary appointment was in accordance with seniority-cum-merit.

Note:- Absences during service e.g., training and deputation which are treated as "duty" under the R.S.R. Shall also be counted as service for computing minimum experience or Service required for promotion.

Vide Notification No.F.6(2) DOP/A-II/71, dated 29-8-1982.

@ Inserted vide Notification No.F. 6(2) Appts./A-II/71-I, dated 9-10-1975 effective from 27-3-1973.

£ Inserted vide Notification No.F. 6(2) Appts./A-II/71, dated 13-7-1976, effective from 1-10-1975.

% Clause (k) of Rule 4 added vide Notification No.F. 7(2) DOP/A-II/81, dated 21-12-1981 w.e.f. 1-4-1981.

* Substituted for Rule 6. "**Strength of the service.-** The Strength or the Service and the nature of the posts there in shall be as specified in schedule-I

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post included in the Service shall be specified in column 2 of the Schedule.

(2) The strength of posts in each category shall be such as may be determined by Government from time to time, provided that Government may (a) create any post permanent or temporary from time to time as may be found necessary and (b) leave, unfilled or hold in abeyance or abolish or allow to lapse any post permanent or temporary, from time to time, without thereby entitling any person to any compensation.

6-B. Initial constitution of the Service.- The Service shall consist of :-

- (a) All persons holding substantively the post specified in the schedule;
- (b) All persons recruited to the Service before the commencement of these Rules; And
- (c) All persons recruited to the Service in accordance with the provisions of these

Rules.

PART III Recruitment

£7. **Methods of recruitment :-** Recruitment to the Service, after the commencement of these Rules shall be by the following methods in the proportion indicated in column 3 of the schedule-

(a) By direct recruitment in accordance with Part IV. If these Rules, and

(b) By promotion in accordance with Part V of these Rules; provided:

(1) That if the Appointing Authority is satisfied, in consultation with the Commission, where necessary, that suitable persons are not available for appointment by either method of recruitment in a particular year, appointment by the other method in relaxation of the

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Provided that the Director may leave unfilled, or Government may hold in abeyance or abolish any vacant post or posts without thereby entitling any person to compensation or may create additional permanent or temporary posts in the Service, from time to time, as may be found necessary vide Notification No.F. 8(1) (30) Ind/B/63, dated 8-10-1966.

£ Substituted for Rule 7. "**Sources of recruitment-** Recruitment to the lowest post in each category of the service after the commencement of these Rules shall be made through the agency of the Commission provided that where a post is not within the purview of the Commission in accordance with the Rajasthan Public Service Commission (Limitation of Functions) Regulations, direct appointment to the post may be made by the Director." vide Notification No. F.(8) (30) Ind./B/63, dated 8-10-1966.

Prescribed proportion may be made in the same manner as specified in these Rules.

(2) That nothing in these Rules shall preclude the Appointing Authority from appointing officers, previously in the appointment of pre-reorganisation State of Ajmer, Bombay & Madhya Bharat to suitable posts in the schedule in accordance with the "direction" governing the integration of their service.

@7-A. Notwithstanding anything contained in the recruitment, appointment, promotion, seniority and confirmation etc. of a person who joins the Army/Air Force/Navy during an Emergency shall be regulated by such orders and instructions as may be issued by the Government from time to time provided that these are regulated **mutatis mutandis** according to the instructions issued on the subject by the Government of India.

***8. Reservation of vacancies of the Scheduled Castes and the Scheduled Tribes:-**

(1) reservation of vacancies for the Scheduled Castes and the Scheduled tribes shall be in accordance with the orders of the Government for such reservation in force at the time of recruitment i.e. by direct recruitment and by promotion.

(2) The vacancies so reserved for promotion shall be filled in by "Seniority-cum-merit and merit."

(3) In filling the vacancies so reserved the eligible candidates who are members of the Scheduled Castes and the Scheduled Tribes shall be

x Substituted for the word "rules" vide Notification No.F. 7(4) DOP/A-II/75, dated 27-5-75.

@ 7 A Inserted vide Notification No.F. 21 (12) Appts./C/55, dated 29-8-73, effective from 29-10-63.

* Substituted for "**8. reservation of vacancies for Scheduled Castes and Scheduled Tribes**" -

(1) Reservation of vacancies for Scheduled Castes and Scheduled Tribes shall be in accordance with the orders of Government for such reservation in force at the time of recruitment.

Note- Reservation shall be calculated on the basis of total vacancies, Adjustments of fractions shall be made over a period of five years. Promotions shall be irrespective of caste consideration.

(2) In filling the vacancies so reserved the candidates, who are members of the Scheduled Castes and Scheduled Tribes shall be considered for appointment in the order in which their names appear in the list, irrespective of their relative rank as compared with the other candidates.

(3) In the event of non-availability of sufficient number of candidates amongst the Scheduled Castes and Scheduled Tribes in a particular year, vacancies need not be kept reserved and shall be filled in accordance with the normal procedure, vide Notification No.F. 7(4) DOP/A-II/73, dated 3-10-1973.

£ Substituted for the word + "merit alone" vide Notification No.F. 7(4) DOP/A-II/73, dated 29-1-1981.

+ Substituted for the words "merit cum seniority" vide Notification No.F. 7(6) DOP/A-II/75-III, dated 31-10-75. Effective from the date of publication in Rajpatra.

considered for appointment in the order in which their names appear in the list prepared for Direct Recruitment by the Commission, for posts falling in its purview, and by the Appointing Authority, in other cases, and the Departmental promotion Committee or the Appointing Authority as the case may be, in the case of promotees, irrespective of their relative rank as compared with the other candidates.

£(4) "Appointments shall be made strictly in accordance with the rosters prescribed separately for direct recruitment, and promotion. In the event of non-availability of the eligible and suitable candidates amongst Scheduled Castes and Scheduled Tribes, as the case may be, in a particular year, the vacancies so reserved for them shall be filled in accordance with the normal procedure and an equivalent number of additional vacancies shall be reserved in the subsequent year. Such reservation would lapse."

Provided that there shall be no carry forward of the vacancies in posts or class/category/group of posts in any cadre of Service to which promotions are made on the basis of + "merit alone", under these Rules.

§"8A. Reservation of vacancies for Other Backward Classes:- Reservation of vacancies for Other Backward Classes shall be in accordance with the orders of the Govt. for such reservation in force at the time of direct recruitment. In the event of non-availability of eligible and suitable candidates amongst Other Backward Classes in a particular year, the vacancies so reserved for them shall be filled in accordance with the normal procedure."

@9. Determination of vacancies.- (1) (a) Subject to the provisions of these Rules, the Appointing Authority shall determine

£ Substituted for "(4) In the event of non-availability of a sufficient number of eligible and suitable candidates amongst the Scheduled Castes and the Scheduled Tribes in a particular year, vacancies shall not be carried forward and shall be filled in accordance with the normal procedure." vide Notification No.F. 7(10) DOP/A-II/74, dated 10-2-1975.

+ Deleted the expression "both merit and seniority-cum-merit and not by seniority-cum". Vide Notification No.F. 7(6) DOP/A-II/75-II, dated 31-10-75. Effective from the date of publication in Rajpatra.

\$ Added vide Notification No.F. 7(2) DOP/A-II/93, dated 24-5-1994. w.e.f. 28-9-1993.

@ Substituted Rule 9 for:-

* 9. "**Determination of vacancies.-** (1)(a) Subject to the provisions of these Rules, the Appointing Authority shall determine every year the number of existing vacancies and those anticipated during the following twelve months and the number of persons likely to be appointed to the Service by each method. The next determination of vacancies shall be done just before the expiry of twelve months of the last determination of vacancies.

(b) In calculating the actual number of vacancies to be filled in by each method on the basis of percentage prescribed in the Schedule, the Appointing Authority shall

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on 1st April every year, the actual number of vacancies occurring during the financial year.

(b) where a post is to be filled in by single method as prescribed in the Rule or Schedule, the vacancies so determined shall be filled in by that method.

(c) Where a post is to be filled in by more than one method as prescribed in the rule or Schedule, the apportionment of the vacancies, determined under clause (a) above, to each such method shall be done maintaining the prescribed proportion for the over-all number of posts already filled in. If any fraction of vacancies is left over, after apportionment of the vacancies in the manner prescribed above, the same shall be- apportioned to the quota of various methods prescribed in a continuous cyclic order giving precedence to the promotion quota.

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adopt an appropriate continuous_cyclic order to correspond with the proportion laid down in the Schedule by giving precedence to promotion quota

(2) The Appointing Authority shall determine every year the number of existing vacancies and those anticipated in next twelve months which are to be filled by promotion of persons already in the Service.

(3) The Appointing Authority shall also determine the corresponding vacancies of earlier years, if any, yearwise which were required to be filled in by promotion, if such vacancies were not determined and filled earlier in the year in which they were required to be filled in accordance with sub-rules (2).”

vide Notification No.F. 7(2) DOP/A-II/81, dated 21st December 1981 w.e.f. 1-4-81.

Rule 9 substituted for:-

@9. Determination of Vacancies.- (1) subject to the provisions of these Rules, the Appointing Authority shall determine each year the number of vacancies anticipated during the following twelve months and the number of persons likely to be recruited by each method. Such vacancies shall be determined again before the expiry of 12 months of the last termination of such vacancies.

(2) In calculating the actual number to be filled by each method on the basis of the percentage prescribed in column 3 of the Schedule, appended with relevant Service Rules, each Appointing Authority shall adopt an appropriate cyclic order to precedence to promotion quota over direct recruitment quota, e.g. where the appointment by direct recruitment and promotion is in the percentage of 75 and 25, respectively the cycle shall run as follows:-

- | | |
|---------------------------|---------------------------|
| 1. By promotion, | 2. By direct recruitment, |
| 3. By direct recruitment, | 4. By direct recruitment, |
| 5. By promotion, | 6. By direct recruitment, |
| 7. By direct recruitment, | 8. By direct recruitment, |
| 9. By promotion and so on | |

vide Notification No.F. 5(3) DOP/A-II/77, dated 6-10-1979.

@ Substituted for “**9. Determination of vacancies.-** Subject to the provisions of these Rules the (Appointing Authority) shall determine the vacancies which shall be filled up during a year, vide Notification No.F. 7(1) DOP/A-II/73, dated 16-10-1973.

(2) The Appointing Authority shall also determine the vacancies of earlier years, yearwise "which were required to be filled in by promotion, if such vacancies were not determined and filled earlier in the year in which they were required to be filled in."

£10. Nationality. - A candidate for appointment to the Service must be.-

- (a) a citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (e) A person of Indian origin who has migrated from Pakistan, Burma, Shri Lanka and East African Countries of Kenya, Uganda and the United Republic of Tanzania (formerly Tanganyika and Zanzibar) x "Zambia, Malawi, Zaire and Ethiopia" with the intention of permanently settling in India.

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India.

A candidate in whose case a certificate of eligibility is necessary

£ Substituted for "**10. Nationality.** - A candidate for appointment to the Service must be.-

- (a) a citizen of India, or
- (b) a subject of Sikkim, or
- (c) a subject of Nepal, or
- (d) a subject of Bhutan, or
- (e) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (f) A person of Indian origin who has migrated from Pakistan, Burma, Ceylon and East African Countries of Kenya, Uganda and the United Republic of Tanzania (formerly Tanganyika and Zanzibar) with the intention of permanently settling in India.

Provided that a candidate belonging to categories (c), (d), (e) and (f) shall be a person in whose favour a certificate of eligibility has been given by the Government of India and if he belongs to category (f) the certificate of eligibility will be issued for a period of one year, after which such a candidate will be retained in service subject to his having acquired Indian citizenship.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Commission or other recruiting authority as the case may be and, he may also provisionally be appointed subject to the necessary certificate being given to him by the Government. Vide Notification No. F.7(4) DOP (A-II)/76, dated 7-9-1976.

Inserted vide Notification No.F. 7(4) DOP/A-II/76, dated 4-6-1977.

may be admitted to an examination of interview conducted by the Commission or other recruiting authority and he may also provisionally be appointed subject to the necessary certificate being given to him by the Government.”

* **10-A. + “Conditions of eligibility of persons migrated form other countries to India:-”** “Notwithstanding anything contained in these Rules, provisions regarding eligibility for recruitment to the Service with regard to nationality, age-limit and fee or other concessions to a person who may migrate from other countries to India with the intention of permanently settling in India shall be regulated by such orders or instructions as may be issued by the State Government from time to time and the same shall be regulated **mutatis mutandis** according to the instructions issued on the subject by the Government of India.”

£**11. Age.-** A candidate for direct recruitment must have attained the age of 20 years and must not have attained the age of *”35 years” on the first day of January following the last date fixed for the receipt of application:

Provided :-

- (i) That the upper age-limit for the drilling personnel shall be 40 years.
- (ii) That the upper age-limit mentioned above shall be relaxed by 5 years in the case of women candidates belonging to Scheduled Castes and Scheduled Tribes.

@ Inserted vide Notification No. F. 7(5) DOP A-II/76, dated 20-6-1977.

+ Heading of Rule 10A inserted vide Notification No. F. 2(4) DOP A-II/79, dated 22-11-1984.

£ Substituted for - “Rule **11. Age-** A candidate for direct recruitment must have attained the age of 20 years and must not have attained the age of 25 years on the first day of January following the last date fixed for receipt of application:

Provided-

- (i) That the upper age limit for a candidate of a Scheduled Cast or a Scheduled Tribe shall be 30 years.
- (ii) that the age-limits prescribed shall not be applicable to the members of the Service who may apply for direct recruitment to the higher posts.
- (iii) that the upper age-limit for Jagirdais including Jagirdars' sons who did not have any sub-Jagir for their subsistence, shall be 40 years.

Note 1. - This relaxation will remain in force for a period ending 1st January, 1964.

2. In the case of women candidate the upper age-limits shall be raised by 5 years, vide Notification No.F. 8(1) (30) Ind.(B)/63, dated 8-10-1966.

* Substituted for the words “30 years” vide Notification No. F.8(1) (30) Ind.(B)/63, dated 14-11-68 Effective from 4-8-1960.

(iii) That the upper age-limit mentioned above shall not apply in cases of ex-prisoners, who have served under the Government on a substantive basis on any post before conviction and were eligible for appointment under the Rules;

(iv) That the upper age-limit mentioned above shall be relaxable by a period equal to the term of imprisonment served in the case of ex-prisoner who was not overage before his conviction and was eligible for appointment under the Rules.

(v) That the upper age-limit mentioned above to a post in the Service shall not be applicable to the members of the Service who may apply for direct recruitment to the higher post.

@(vi) That the upper age-limit mentioned above shall be relaxable by a period equal to the service rendered in the N.C.C. In the case of Cadet Instructor and if the resultant age does not exceed the prescribed maximum age limit by more than three years, they shall be deemed to be within the prescribed age limit.

£(vii) That for direct recruitment to the post not within the purview of the Commission, the upper age-limit for persons who were retrenched from the State Government Service for want of a vacancy or due to abolition of post shall be 35 years if they were within the age-limit prescribed under these Rules, when they were initially appointed to the post from which they were first retrenched provided that normal prescribed channels of recruitment relating to qualifications, character, medical fitness etc. are fulfilled and they were not retrenched on account of complaint or delinquency and they produce a certificate of having rendered good services from the last Appointing Authority.

\$(viii) That the upper age-limit mentioned above shall be relaxed upto 45 years for the persons repatriated from Burma and Ceylon on or after 1-3-1963 and East African countries of Kenya, Tanganyika, Uganda And Zanzibar with a further relaxation upto 5 years in the case of persons belonging to the Scheduled Castes or the Scheduled Tribes.

@ Added vide Notification No.F. 1(10) Appts./A-II/66, dated 11-4-1967.

£ Proviso (vii) inserted vide Notification No. F. 5(2) DOP/A-II/63, dated 21-12-73.

\$ Substituted for (viii) "that the upper age-limit mentioned above shall be relaxed upto 45 years for the persons repatriated from Burma, Ceylon on or after 1-3-1963 and 1-11-1964 East African countries of Kenya, Tanganyika, Uganda And Zanzibar with a further relaxation upto 5 years in the case of persons belonging to the Scheduled Castes and the Scheduled Tribes." vide Notification No.F. 1(20) Appts. (A-II)/67, dated 20-9-1975. Effective upto 28-2-77.

@ @ (ix) That there shall be no age-limit in the case of persons repatriated from East African Countries of Kenya, Tanganyika, Uganda and Zanzibar.

*(x) "Notwithstanding anything contained contrary in these Rules in the case of persons serving in connection with the affairs of the State in substantive capacity, the upper age limit shall be 40 years for direct recruitment to posts filled in by competitive examinations or in case of posts filled in by competitive examinations or in case of posts filled in through the Commission by interview. This relaxation shall not apply to urgent temporary appointment."

** (xi) "That the Released Emergency Commissioned Officers and Short Service Commissioned Officers after release from the Army shall be deemed to be within the age-limit even though they have crossed the age-limit when they appear before the Commission had they been eligible as such at the time of their joining the Commission in the Army."

+(xii) "That there shall be no age-limit in case of persons repatriated from Pakistan during the 1971 Indo-Pak War."

%(xiii) "That there shall be no age-limit in the case of widows and divorcee women.

Explanation.- That in the case of widow, she will have to furnish a certificate of death of her husband from the Competent Authority and in case of divorcee she will have to furnish the proof of divorcee."

£12.Academic, Technical Qualifications and Experience.- A candidate for direct recruitment to the posts enumerated in the schedule shall in addition to such experience as is required, possess (I) the qualifications given in column 4 of the schedule, and

x"(ii) Working Knowledge of Hindi written in Devnagri Script and knowledge of Rajasthani Culture.

@ @ Inserted vide Notification No.F. 1(20) Appts. (A-II)/67, dated 13-12-74.

* Inserted vide Notification No.F. 7(8) DOP/A-II/74, dated 31-12-74, effective from 28-10-74.

** Inserted vide Notification No.F. 7(2) DOP/A-II/75, dated 20-9-1975.

+ Proviso (xii) of Rule 11 added vide Notification No.F. 15(25) DOP/A-II/79, dated 19-2-1980.

% Added proviso (xiii) vide Notification No.F. 7(2) DOP/A-II/84, dated 18-12-87.

£ Substituted for Rule 12 "**Qualifications.-** Candidates for direct recruitment or appointment by promotion must possess the minimum qualification prescribed in Schedule I". vide Notification No.F. 8(1)(30) Inds./B/63, dated 8-10-1966.

x Sub-rule (ii) of Rule 12 substituted for :-

"(ii) working knowledge of Hindi written in Devnagri script and one of the Rajasthani dialects." vide Notification No.F. 5(1) DOP/A-II/77/Pt.I, dated 30th January, 1984.

13. Character.- the character of a candidate for direct recruitment must be such as to qualify him for employment in the Service. He must produce a certificate of good character from the principal Academic Officer of the University or College in which he was last educated and two such certificates written not more than six months prior to the date of application from two responsible persons not connected with his College or University and not related to him.

Note.- (1) A conviction by a court of law need not of itself involve the refusal of a certificate of good character. The circumstances of the conviction should be taken into account and if they involve no moral turpitude or association with crimes of violence or with movement which has as its object the overthrow by violent means Government as by law established, the mere conviction need not be regarded as a disqualification.

@(2) Ex-prisoner who by their disciplined life while in prison and by their subsequent good conduct have proved to be completely reformed should not be discriminated against on the grounds of their previous conviction for purposes of employment in the Service. Those who are convicted of offences not involving moral turpitude or violence shall be deemed to have completely reformed, on the production of a report to that effect from the Superintendent After care home endorsed by the Inspector General of Prisons to the effect that they are suitable for employment as they have proved to be completely reformed by their disciplined life while in prisons and by their subsequent good conduct in an After care home.

%**14. Physical Fitness.-** A candidate for direct recruitment to

@ Substituted for “**Note 2.-** Ex-prisoners who by their disciplined life while in prison and by their subsequent good conduct have proved to be completely reformed should not be discriminated against on grounds of their previous conviction for purposes of employment in the service. Those who are convicted of offences not involving moral turpitude or violence shall be deemed to have been completely reformed on the production of a report to that effect from the Superintendent, After-care Home or if there are no such homes in a particular district, from the Superintendent of police of that district. Those convicted of offences involving moral turpitude shall be required to produce a certificate from the Superintendent, After-care Home endorsed by the Inspector General of Prisons to the effect that they are suitable for employment as they have proved to be completely reformed by their disciplined life while in prisons and by their subsequent good conduct in an After-care Home.” vide Notification No.F.8(1) (30) Ind./B/63, dated 8-10-1966”

% Substituted for “**14 Physical fitness.-** A candidate for direct recruitment to the Service must be in good mental and bodily health and free from any mental or physical defect likely to interfere with efficient performance of his duties as a member of the Service and must produce, if selected for appointment a certificate to that effect from a Medical Authority notified by Government for the purpose.” vide Notification No. F. 7(2) DOP/A-II/74, dated 5-7-1974.

the service must be in good mental or bodily health and free from any mental or physical defect likely to interfere with the efficient performance of his duties as a member of Service and if selected must produce a certificate to that effect from a Medical Authority notified by the Government for the purpose. The Appointing Authority may dispense with production of such certificate in the case of candidate promoted in the regular line of promotion, or who is already serving in connection with the affairs of the State if he has already been medically examined for the previous appointment and the essential standards of medical examination of the two posts held by him are to be comparable for efficient performance of duties of the new post and his age has not reduced his efficiency for the purpose.

***14-A.-** A candidate who is or has been declared by the Commission/Appointing Authority guilty of impersonation or of submitting fabricated documents which have been tampered with or of making statements, which are incorrect or false or of suppressing material information or using or attempting to use unfair means in the examination or interview or otherwise resorting to any other irregular or improper means for obtaining admission to the examination or appearance at any interview, shall, in addition to rendering himself liable to criminal prosecution be debarred either permanently or for a specified period:-

(a) by the Commission/Appointing authority from admission to any examination or appearance at any interview held by the Commission/Appointing Authority for selection of the candidate, and

(b) by the Government from employment under the Government.

15. Canvassing. - No recommendation for recruitment either written or oral other than that required under the rules, shall be taken into consideration. Any attempt on the part of a candidate to enlist support directly or indirectly for his candidature by other means shall disqualify him for recruitment.

PART IV-

Procedure For Direct Recruitment

£16. Inviting of Applications.- Applications for direct recruitment

* Added vide Notification No. F.1(33) Appts. (A-II)/63, dated 26-8-1965.

£ Substituted for Rule **16.**"**Inviting of applications.-** Applications for recruitment to the Service shall be invited by the Commission or by the Director (where a post is not within the purview of the Commission) by advertising in the Rajasthan Gazette and in such other manner as they may deem fit." vide Notification No. F. 8(1) (30) Inds.(B.) 63, dated 8-10-1966.

to posts in the Service, shall be invited by the Commission or by the Appointing Authority, as the case may be, by advertising the vacancies to be filled, in the official gazette or in such other manner, as may be deemed fit:

Provided that while selecting candidates for the vacancies so advertised, the Commission or the Appointing Authority, as the case may be, may, if intimation of additional requirement not exceeding 50% of the advertised vacancies, is received by them/it before selection also select suitable persons to meet such additional requirement.

***17. Form of Application.-** The application shall be made in the form approved by the Commission or the Appointing Authority as the case be, and obtainable from the Secretary to the Commission or from the office of the Appointing Authority, as the case may be, on payment of such fee as the Commission or the Appointing Authority may, from time to time, fix:

@ provided that the persons repatriated from Burma and Ceylon on or after 1-3-1963 and from East African Countries of Kenya, Tanganyika, Uganda and Zanzibar shall be exempted from payment of cost of application form prescribed by the commission or the Appointing Authority, as the case may be, subject to the condition that the Commission or the Appointing Authority, as the case may be, is satisfied that such persons are not in a position to pay such fee.

**** 18. Application fee. -** A candidate for direct recruitment to a post

* Substituted for **17. "Form of application.-** The application shall be made in the form approved by the Commission or by the Appointing Authority, as the case may be and obtainable from the Secretary to the Commission or the office of the Appointing Authority on payment of such fee as the Commission/Appointing Authority may, from time to time, fix" vide Notification No. F. 7(2) DOP/A-II/73, dated 5-11-73.

@ Substituted for "Provided that the persons repatriated from Burma and Ceylon on or after 1-3-1963 and 1-11-1964 from East African Countries of Kenya, Tanganyika, Uganda and Zanzibar shall be exempted from payment of the application fee prescribed by the commission or the Appointing Authority, as the case may be, subject to the condition that the Commission or the Appointing Authority, as the case may be, is satisfied that such persons are not in a position to pay such fee. vide Notification No. F. 1(20) Apptts(A-II)/67, dated 20-9-1975, effective upto 28-2-1977.

** Substituted for "**Rule 18. Application fee.-** A candidate for direct recruitment to post in the service must pay to the Commission or to the director in such manner as may be prescribed by the Commission or the Director from time to time, an application fee of Rs. 15/- or Rs. 8/- if he is a member or a Scheduled Caste or Scheduled Tribe, such fee as are fixed by them." vide Notification No. F. 8(1) (30) Ind.(B)/63, dated 8-10-1966.

in the Service must pay the fees fixed by the Commission or by the appointing Authority, as the case may be in such manner as may be indicated by them/it.

++ Provided that the persons repatriated from Burma and Ceylon on or after 1-3-1963 and from East African countries of Kenya, Tanganyika, Uganda, and Zanzibar shall be exempted from payment of application fee or "Examination fee" as the case may be; as prescribed by the Commission or the Appointing Authority, as the case may be, subject to the condition that the Commission or the Appointing Authority, as the case may be, is satisfied that such persons are not in a position to pay such fee.

****19. Scrutiny of Applications:-** The Commission or the Appointing Authority as the case may be, shall scrutinize the applications received by them/it and require as many candidates qualified for appointment under these Rules as seem to them/it desirable to appear before them/it for interview.

Provided that the decision of the Commission/Appointing Authority as to the eligibility or or otherwise of a candidate, shall be final.

@@ **20. Recommendations of the Commission/Appointing Authority.-** The Commission or the Appointing Authority as the case may be shall prepare a list of the candidates whom they/it consider suitable for appointment to the post concerned arrange in the order of merit. The commission shall also forward the list to the Appointing Authority:

++ Substituted for "provided that the persons repatriated from Burma, Ceylon on or after 1-3-1963 and 1-11-1964 and East African countries of Kenya, Tanganyika, Uganda and Zanzibar shall be exempted from payment of examination fee as prescribed by the Commission or the Appointing Authority, as the case may be, subject to the condition that the Commission or the Appointing Authority, as the case may be, is satisfied that such persons are not in a position to pay such fee." vide Notification No. F. 1 (20) Appts. (A-II)/67, dated 20-9-1975, effective upto 28-2-1977.

** Substituted for Rule "19. **SCRUTINY OF APPLICATIONS.-** The Commission or the Director shall scrutinise the Applications received by them and require as many candidates qualified for appointment under these Rules as seem to them desirable to appear before them for interview." vide Notification No. F. 8(1)(30) Ind/B/63, dated 8-10-1966.

@@ Substituted for rule **20. "Recommendations of the Commission.-** The commission (or the Director as the case may be) shall prepare a list of the candidates whom they consider suitable for appointment to the Service arranged in order of preference. The list prepared by the Commission shall be forwarded by them to the Director." vide Notification No. F. 8(1)(30) Ind/B/63, dated 8-10-1966.

Provided that the Commission or the Appointing Authority, as the case may be, may to the extent of 50% of the advertised vacancies keep names of suitable candidates on the reserve list. The Commission may on requisition recommend the names of such candidates in the order of merit to the Appointing Authority within six months from the date on which the original list is forwarded by the Commission to the Appointing Authority.

%21. Disqualification for Appointment.- (1) No male candidate who has more than one wife living shall be eligible for appointment to the Service unless the Government after being satisfied that there are special ground for doing so, exempt any candidates from the operation of this Rule.

(2) No female candidate who is married to a person having already a wife living shall be eligible for appointment to the Service unless Government after being satisfied that there are special grounds for doing so, exempt any female candidate from the operation of this rule.

(3) @ "Deleted".

* (4) No married candidate shall be eligible for appointment to the Service if he/she had at the time of his/her marriage accepted any dowry:

Explanation.- For the purpose of this Rule 'dowry' has the same meaning as in the Dowry Prohibition Act, 1961 (Central Act, 28 of 1961).

% Substituted for Rule **21. "Selection by Director.-"** Subject to the provisions of Rule 8 of the Director shall select the candidates who stand highest in order of merit in the list prepared by the Commission or the Director as the case may be under Rule 20, provided that he is satisfied after such enquiry as may be considered necessary, that such candidates are suitable in all respects for appointments to the Service." vide Notification No. F. 8(1)(30) Ind/B/63, dated 8-10-1966.

@ Deleted "(3) No candidate male or female who had more than three children shall be eligible for appointment to the Service unless one of the spouses has under-gone sterilization or in the case of a female candidate, she is above 45 years of age:

Provided that any married candidate, male or female, who had more than three children last 10 Years shall be exempted from the operation of this sub-rule.

Explanation.-

(i) For the purpose of this sub-rule, a child shall include an adopted child or a step-child; and

(ii) For claiming exemption under the proviso to this sub-rule, the candidate shall have to produce a certificate either from a Registered Medical Practitioner or swear an affidavit to the effect that the age of his or her youngest child is not less than 10 years." vide Notification No. F. 7(3) DOP/A-II/76, dated 15-2-1977.

Inserted vide Notification No. F. 15(9) DOP/A-II/74, dated 5-1-1977.

***22. selection by the appointing Authority.-** Subject to the provisions of Rule 8 @”and 8A” the Appointing Authority shall select candidates who stand highest in the order of merit in the list prepared under Rule 20:

Provided that the inclusion of a candidate's name in the list confers no right to appointment unless the Appointing Authority is satisfied after such enquiry as may be considered necessary, that such candidates are suitable in all other respects for appointment to the posts concerned.

PART V-

Procedure For Recruitment By Promotion

%23. Eligibility and criteria for selection.- (1) The person holding the posts enumerated in column 5 of the schedule, shall be eligible on the basis of seniority-cum-merit, for promotion to such posts as are specified in column 2 of the schedule to the extent indicated in col. 3 of the schedule subject to their possessing minimum qualification and experience + on the first day of the month of April of the year of selection as specified in column 6 and 7 of the Schedule.

\$”Explanation.- In case direct recruitment to a post has been made earlier than regular selection for promotion in a particular year such of the persons, who are or were eligible for appointment to that post by both the methods of recruitment and have been appointed by direct recruitment first, shall also be considered for promotion.”

* Substituted for Rule **22. “Appointment to the Service.-** Appointment to the Service shall be made by the Director on occurrence of vacancy in the cadre of the Service by selection of persons from the list prepared by the Commission under Rule 20 or of persons selected by himself where the posts outside the purview of the Commission” vide Notification No. F. 8(1)(30) Ind./B/63, dated 8-10-1964.

@ Inserted vide Notification No. F. 7(2) DOP/A-II/93, dated 24-5-1994 w.e.f. 28-9-1993.

% Substituted for Rule **23. “Temporary appointment.-** A vacant post in the there to a person eligible for appointment to the post; provided that no such appointment shall be continued beyond a period of six months without referring it to the Commission for the concurrence where the post is within the purview of the Commission and the appointment shall be terminated immediately on the refusal of the Commission to concur.” vide Notification No. F. 8(1)(30) Ind/B/63, dated 8-10-1966.

x Inserted vide Notification No. F. 1(4) DOP/A-II/73, dated 13-6-1974.

\$ Inserted vide Notification No. F. 7(1) DOP/A-II/75, dated 20-9-75 effective from the date of publication in the Gazette.

§§23-A. “No officer shall be considered for promotion unless he is substantively appointed and confirmed on the next lower post. If an officer substantive in next lower post is eligible for promotion, officers who have been appointed on such post on officiating basis after selection in accordance with one of the methods of recruitment or under any Service Rules promulgated under proviso to Article 309 of the Constitution of India, may be considered for promotion on officiating basis only in the order of seniority in which they would have been had they been substantive on the said lower post.”

£24. Procedure for selection.- (1) As soon as it is decided that a certain number of posts shall be filled by promotion, the Appointing Authority shall prepare a correct and complete list containing names not exceeding five times the number of vacancies out of the senior most persons who are qualified under the Rule for promotion to the class of posts concerned.

(2)(a) For the posts falling within the purview of the Commission, a Committee consisting of the Chairman of the Commission or a Member thereof nominated by him, Deputy Secretary to Government in the Industries and Mines Department”, Dy. Secretary to Government in the @”Department of Personnel” and the Appointing Authority and for the posts falling within the purview of the Appointing Authority a Committee consisting of the Appointing Authority, the Deputy Secretary to Government in the Industries and Mines (B) Department and the Deputy Secretary to Government in the Department of Personnel shall consider the cases of all the persons included in the list, interview such of them as they may deem necessary and shall prepare a list containing names of suitable candidates upto twice the number of such posts as are indicated in sub-rule (1).

\$\$ Inserted vide Notification No. F. 7(1) DOP/A-II/74, dated 5-7-1974.

£ Substituted for Rule 24. **“Appointments by promotion to senior posts.-** Substantive appointment to the Senior posts in each category of the Service shall be made by the Appointing Authority on occurrence of a substantive vacancy from amongst the Junior Officers of each category eligible for promotion as shown in the Schedule attached to these Rules on the basis of seniority-cum-merit.

Provided that if the Director, after consultation with the Commission is satisfied that during a particular year no member of Service is suitable for a higher post direct recruitment may be made to the higher posts through the agency of the Commission.” vide Notification No. F. 8(1)(30) Ind./B/63, dated 8-10-1966.

@ A substituted for the word “Appointments Department” vide Notification No. F. 1(13) DOP/A-II/72, dated 3-1-1973, effective from 17-2-72.

(b) The Chairman or the Member of the Commission or the Appointing Authority, as the case may be, shall preside at all meeting of the Committee at which he is present.

+”Provided that in case any member or Member-Secretary, as the case may be, constituting the committee has not been appointed to the post concerned, the officer holding charge of the post for the time being shall be the Member or Member-secretary, as the case may be of the Committee.”

(3) The Committee shall also prepare a separate list containing names of person who may be selected to fill officiating vacancies already existing or such as are likely to occur till the next meeting of the Committee.

(a) The list so prepared shall be reviewed and revised every year.

(b) The list shall ordinarily be in force until it is reviewed or revised in accordance with clause (a) of sub-rule(3).

(4) The name of the candidates selected as suitable shall be arranged in the order of seniority.

(5) The lists prepared by the Committee shall be sent to the Appointing Authority together with the confidential rolls and personal files of the candidates included in them as also of those superseded, if any.

(6) Where consultation with the Commission is necessary, the lists prepared in accordance with sub-rule (2) and (3) shall be forwarded to the Commission by the Appointing Authority along with (a) confidential roll and personal files of all officers whose names are included in the lists (b) the confidential rolls and personal files of all officers who are proposed to be superseded by the recommendation made by the Committee.

(7) The Commission shall consider the list prepared by the Committee alongwith the other documents received from the Appointing Authority, and unless any change is considered necessary shall approve the list and if the Commission consider necessary to make any change in the lists received from the Appointing Authority, the Commission shall inform the Appointing Authority of the changes proposed and the Appointing Authority after taking into account the comments, if any, may approve the lists finally with such modification as may in his opinion, be just and proper.

+ proviso to sub-rule (2) of Rule 24 added vide Notification No.F. 7(5) DOP/A-II/78, dated 21-12-1978 w.e.f. 7-3-78.

+ **24 A.- Revised Criteria, Eligibility and Procedure for Promotion to Junior, Senior and other posts encadred in the Service :-** (1) As soon as the Appointing Authority determines the number of vacancies under rule regarding determination of vacancies of these Rules and decides that a certain number of posts are required to be filled in by promotion, it shall, subject to provisions of sub-rule (9), prepare a correct and complete list of the senior-most persons who are eligible and qualified under these Rules for promotion on the basis of seniority cum-merit or on the basis of merit to the class of posts concerned.

(2) The persons enumerated in Column 5 or the relevant Column regarding "post from which promotion is to be made", as the case

+ Substituted for Rule **24-A :- Revised Criteria, Eligibility and Procedure for Promotion to junior, Senior and other posts encadred in the Service.-** (1) Selection for promotion in the regular line of promotion from the post not included in the Service to the lowest post or category of post in the Service shall be made strictly on the basis of merit.

(2) Subject to the provisions of sub-rule (4), selection for promotion from the lowest post or category of post in the Service to the next higher post or category of post Services (New Pay Scales) Rules, 1969 or equivalent scales as may be declared by the Government from time to time, shall be made solely on the basis of seniority-cum-merit from amongst the persons who have passed the qualifying examination, if any, prescribed under these Rules, and have put in at least five-years' service, unless a different period is prescribed elsewhere in these Rules, on the first day of the month of April of the year of selection on the post or category of post from which selection is to be made:

Provided that in the event of non-availability of the persons with the requisite period of Service of five years, the Committee may consider the persons having less than the prescribed period of service, if they fulfil the qualifications and other conditions for promotion prescribed elsewhere in these Rules, and are found otherwise suitable for promotion on the basis of seniority-cum-merit.

Provided further that in respect of posts included in the State Services in which the method of recruitment to the lowest post provides for appointment by promotion, and where such posts are required to be filled on the basis of seniority-cum-merit under this sub-rule, the Committee may select for promotion such persons of outstanding merit available within the zone of consideration, who may not be selected on the basis of seniority-cum-merit, to the extent of one-fourth of the number of vacancies to be filled in by promotion and if the number of vacancies exceeds one but is less than four, the Committee may select one person on the basis of merit alone and if the vacancies are more than four and the calculation of the number of vacancies to be filled by merit alone according to the aforesaid basis results in a fraction, the Committee may select one more person against a fraction of half or more. On being so selected, for the purpose of determination of seniority, such persons shall be deemed to have been selected on the basis of seniority-cum-merit.

(3) Selection for promotion to all other higher posts or higher categories of posts in the Service shall be made on the basis of merit alone.

(4) Selection for promotion to the highest post or highest category of post in the Services shall always be made on the basis of merit alone.

Contd. . . .

Contd. . . .

(5) The persons having been selected and appointed by promotion to a post or category of post on the basis of merit, shall be eligible for promotion to the next higher post or category of post, which is to be filled in by merit, only when they have put in after regular selection at least five years' service, unless a higher period of service is prescribed elsewhere in these Rules, on the first day on the month of April of the year of selection on the post or category of post from which selection is to be made:

Provided that the condition of five years' service shall not be applicable to a person, if any person junior to him is eligible for consideration for promotion on the basis of merit:

Provided further that in the event of non-availability of persons, equal to the number of vacancies to be filled in, eligible for promotion in the category of posts next lower from which promotion is made, the Committee may consider the persons having less than five years service if they are found otherwise suitable for promotion on the basis of merit alone.

Explanation.- If any doubt arises about the categorisation of the post as the lowest, next higher or highest post in the Service, the matter shall be referred to the Government in the Department of Personnel and Administrative Reforms whose decision there on shall be final.

(6) The Zone of eligibility for promotion shall be five times the number of vacancies to be filled in on the basis of seniority-cum-merit or merit as the case may be:

Provided that in case of non-availability of sufficient number of suitable persons for selection on the basis of merit, the Committee may at its discretion consider persons of outstanding merit outside the zone of eligibility but falling within six times the number of vacancies to be filled in on the basis of merit.

(7) Except as otherwise expressly provided in this rule, the conditions of eligibility for promotion, constitution of the Committee and procedure for selection shall be the same as prescribed elsewhere in these Rules.

(8) The Committee shall consider the cases of all the senior most persons who are eligible and qualified for promotion to the class of posts concerned under these Rules, interviewing such of them as it may deem necessary and shall prepare a list containing name of the suitable persons equal to the number of existing vacancies and the vacancies anticipated to occur during the next twelve months after the determination of vacancies. The Committee shall also prepare a separate list containing names of person equal to 50% of the persons selected in the aforesaid list or select one more person if the number of vacancies is one only, who may be considered suitable to fill temporary or permanent vacancies, which may occur till the next meeting of the Committee, on a temporary or officiating basis and the list so prepared shall be reviewed and revised every year and shall remain in force until it is so reviewed or revised.

The lists so prepared on the basis of merit shall be arranged in order of preference and the list prepared on the basis of seniority-cum-merit shall be arranged in order of seniority on the category of post from which selection has been made. Such list shall be sent to the concerned Appointing Authority together with the Annual Confidential Rolls and Personal Files of all the candidates included in them as also of those not selected, if any.

Explanation:- The list of preference shall classify the officers in order as 'outstanding', 'very good' and 'good' on the basis of merit. In each class the officers shall maintain their **inter-se** seniority of the next below grade.

(9) where consultation with the Commission is necessary, the lists prepared by the Committee shall be forwarded to the Commission by the Appointing Authority along with the Personal Files and Annual Confidential Rolls of all the persons whose names have been considered by the Committee.

Contd. . . .

may be, of the relevant Schedule shall be eligible for promotion to posts specified against them in Column 2 thereof to the extent indicated in Column 3 subject to their possessing minimum qualifications and experience on the first day of the month of April of the year of selection as specified in Column 6 or in the relevant Column regarding "minimum qualification and experience for promotion", as the case may be.

§(3) No person shall be considered for first promotion in the Service unless he is substantively appointed and confirmed on the lowest post in the Service. After first promotion in the Service, for subsequent promotions to higher posts in the Service, a person shall be eligible if he has been appointed to such post from which promotion is to be made after selection in accordance with one of the methods of recruitment under any Service Rules promulgated under proviso to Article 309 of the Constitution of India."

Contd. . . .

(10) The Commission shall consider the lists prepared by the committee along with other relevant documents received from the Appointing Authority, and unless any change is considered necessary, shall approve the list. In case the Commission consider it necessary to make any change in the list received from the Appointing Authority, it shall inform the Appointing Authority of the changes proposed by it. After taking into account the comments of the Commission, if any, the Appointing Authority may approve the lists finally with such modifications, as may, in its option, be just and proper and when the Appointing Authority is an authority subordinate to the Government, the list approved by the Commission should be disturbed only with the approval of the Government.

(11) Appointments shall be made by the Appointing Authority taking persons out of the lists finally approved under the preceding sub-rule (10) in the order in which they have been placed in the lists, till such lists are exhausted or reviewed and revised, as the case may be.

(11-A) A Government may issue instructions for provisionally dealing with promotions, appointments or other ancillary matters in an equitable and fair manner of persons or who may be under suspension, or against whom departmental proceeding is under progress at the time promotions are considered to a post to which they are eligible or would have been eligible but for such suspension or pendency of such enquiry or proceedings.

(12) The provisions of this rule shall have effect notwithstanding anything to the contrary contained in any provision of these Rules. Vide Notification No.F. 7(10) DOP/(A-II)/77, dated 7-3-1978. come into force from the date of publication in the Rajasthan Rajpatra.

§ Substituted. For :- "(3) No person shall be considered for promotion unless he is substantively appointed and confirmed. If no person substantive in the next lower post is eligible for promotion, persons who have been appointed on such posts on officiating basis after selection in accordance with one of the methods of recruitment or under any Service Rules promulgated under proviso to Article 309 of the Constitution of India, may be considered for promotion on officiating basis only in the order of seniority in which they would have, had they been substantive on the said lower post."

vide Notification No. F. 7(8) DOP/A-II/78, dated 20-7-1979.

+ “Provided that for first promotion in the Service if number of persons substantively appointed and confirmed on the lowest post, equal to the number of vacancies, are not available then persons who have been appointed to the lowest post in the Service after selection in accordance with one of the methods of recruitment prescribed under these Rules; shall also be eligible if they fulfil conditions of eligibility.”

Explanation :- In case direct recruitment to a post has been made earlier than regular selection by promotion in a particular year, such of the persons who are or were eligible for appointment to that post by both the methods of recruitment and have been appointed by direct recruitment first, shall also be considered for promotion.

(4) Selection for promotion in the regular line of promotion from the post/posts not included in Service to the lowest post or category of post in the service shall be made strictly on the basis of merit and on the basis of seniority-cum-merit in the proportion of 50:50.

Provided that if the Committee is satisfied that suitable person are not available for selection by promotion strictly on the basis of merit in a particular year, selection by promotion on the basis of seniority-cum-merit may be made in the same manner as specified in these Rules.

(5) Subject to the provisions of sub-rule (7), selection for promotion from the lowest post or category of post in the State Service to the next higher post or category of post in the State Service and for all posts in the Subordinate Service and in the Ministerial Services shall be made strictly on the basis of seniority-cum-merit from amongst the persons who have passed the qualifying examination, if any, prescribed under these Rules, and have put in at least five years' service, unless a different period is prescribed elsewhere in these Rules, on the first day of the month of April of the year of selection on the post or category of post from which selection is to be made :

Provided that in the event of non-availability of the persons with the requisite period of Service of five years, the Committee may consider the persons having less than the prescribed period of service, if they fulfil the qualifications and other conditions for promotion prescribed elsewhere in these Rules, and are found otherwise suitable for promotion on the basis of seniority-cum-merit.

(6) Selection for promotion to all other higher posts or higher categories of posts in the State Service shall be made on the basis of merit and on the basis of seniority-cum-merit in the proportion of 50:50.

+ Added vide Notification No. F. 7(8) DOP/A-II/ 78, dated 13-5-1980.

Provided that if the Committee is satisfied that suitable persons are not available for selection by promotion strictly on the basis of merit in a particular year, selection by promotion on the basis of seniority-cum-merit may be made in the same manner as specified in these Rules.

(7) Selection for promotion to the highest post or highest categories of posts in the State Service shall always be made on the basis of merit alone.

(8) @ "Deleted".

Explanation :- If any doubt arises about the categorisation of the post as the lowest, next higher or highest post in the Service, the matter shall be referred to the Government in the Department of Personnel and Administrative Reforms whose decision thereon shall be final.

+ + (9) "The Zone of consideration of persons eligible for promotion shall be as under :-

(1) Number of Vacancies	Number of eligible persons to be considered.
--------------------------------	---

(a) for one vacancy	Five eligible persons.
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@ Sub-rule (8) deleted :- "(8) The persons having been selected and appointed by promotion to a post or category of post on the basis of merit, shall be eligible for promotion to the next higher post or category of post, which is to be filled in by merit, only when they have put in after regular selection, at least five years' service, unless a higher period of service is prescribed elsewhere in these Rules, on the first day of the month of April of the year of selection on the post or category of post from which selection is to be made :

Provided that the condition of five years' service shall not be applicable to a person if any person junior to him is eligible for consideration for promotion on the basis of merit :

Provided further that in the event of non-availability of persons, equal to the number of vacancies to be filled in, eligible for promotion in the category of posts next lower from which promotion is made, the Committee may consider the persons having less than five years' service if they are found otherwise suitable for promotion on the basis of merit alone"/

vide Notification No. F. 7(6) DOP/A-II/75, dated 15-7-1992.

+ + Sub-rule (9) substituted for :-

"(9) The zone of consideration of persons eligible for promotion shall be as under :-

£(i) "The zone of eligibility for promotion shall be five times the number of vacancies to be filled in on the basis of seniority-cum-merit or merit or by both, as the case may be."

(ii) **for the highest post in a service :**

(a) if promotion is from one category of posts eligible persons upto five in number shall be considered for promotion;

(b) if promotion is from different categories of posts in the same pay scale eligible persons upto two in number from each category of posts in the same pay scale shall be considered for promotion;

- | | |
|--------------------------------|--------------------------------------|
| (b) for two vacancies | Eight eligible persons. |
| (c) for three vacancies | Ten eligible persons. |
| (d) for four or more vacancies | Three times the number of vacancies. |

(ii) Where, the number of eligible persons for promotion to higher post is less than the number specified above, all the persons so eligible shall be considered.

(iii) Where, adequate number of the candidates belonging to the Scheduled Castes or the Scheduled Tribes, as the case may be, are not available within the zone of consideration specified above, the zone of consideration may be extended to five times the number of vacancies and the candidates belonging to the Scheduled Castes or the Scheduled Tribes, as the case may be (and not any other) coming within the extended zone of consideration shall also be considered against the vacancies reserved for them.

(iv) For the highest post in a State Service :-

(a) if promotion is from one category of post, eligible persons upto five in number shall be considered for promotion;

(b) if promotion is from different categories of the post in the same pay scale, eligible persons up to two in number from each category of posts in the same pay scale shall be considered for promotion;

(c) if promotion is from different categories of posts carrying different pay scales, eligible persons in the higher pay scale shall be considered for promotion first and if no suitable person is available for promotion on the basis of merit in the higher pay scale then

(c) if promotion is from different categories of posts carrying different pay scales, eligible persons in the higher pay scale shall be considered for promotion first and if no suitable person is available for promotion on the basis of merit in the higher pay scale then only the eligible persons of other categories of posts in lower pay scales shall be considered for promotion and so on so forth. The zone of consideration for eligibility in this case shall be limited to five senior-most eligible persons in all.

Vide Notification No. F. 7(1) DOP/A-II/81, dated 6-7-1983 +w.e.f. 1-4-1984.

+ Added Vide Notification No. F. 7(1) DOP/A-II/81, dated 10-5-1984.

£ clause (l) of sub-rule (9) subtd. For:-

- | (1) Number of Vacancies. | Number of eligible persons to be considered. |
|---------------------------------|---|
| (a) 1 to 5 vacancies | 4 times of the number of vacancies. |
| (b) 6 to 10 vacancies | 3 times, but at least 20 eligible persons to be considered. |
| (c) Above 10 vacancies | 2 times, but atleast 30 eligible persons to be considered. |

Vide Notification No. F. 7(1) DOP/A-II/81, dated 29-1-81.

only the eligible persons of other categories of posts in lower pay scales shall be considered for promotion and so on and so forth. The zone of consideration for eligibility in this case shall be limited to five senior most eligible persons in all.”

(10) Except as otherwise expressly provided in this rule, the conditions of eligibility for promotion, constitution of the Committee and procedure for selection shall be the same as prescribed elsewhere in these Rules.

+ “(11) (a) The Committee shall consider the cases of all the senior most persons who are eligible and qualified for promotion to the class of posts concerned under these Rules and shall prepare a list containing names of the persons found suitable on the basis of seniority-cum-merit and/ or on the basis of merit, as the case may be, as per the criteria for promotion laid down in these Rules, equal to the number of vacancies determined under rule relating to “Determination of vacancies ” of these Rules. The list so prepared on the basis of seniority-cum-merit and/or on the basis of merit, as the case may be, shall be arranged in the order of seniority on the category of posts from which selection is made.

(b) The Committee shall also prepare a separate list on the basis of seniority-cum-merit and/or on the basis of merit, as the case may be, as per the criteria for promotion laid down in the rules, containing names of persons equal to the number of persons selected in the list prepared under (a) above to fill temporary or permanent vacancies, which may

+ Sub rule (11) subtd for:-

“(11) The Committee shall consider the cases of all the senior most persons who are eligible and qualified for promotion to the class of posts concerned under these Rules, %”interviewing such of them as they may deem necessary” and shall prepare a list containing names of the suitable persons equal to the number of existing vacancies and the vacancies anticipated to occur during the next twelve months after the determination of vacancies. The Committee shall also prepare a separate list containing the names of persons equal to 50% of the persons selected in the aforesaid list or select one more person if the number of vacancies is one only, who may be considered suitable to fill temporary or permanent vacancies, which may occur till the next meeting of the Committee, on a temporary or officiating basis and the list so prepared shall be reviewed and revised. The lists so prepared shall be reviewed and revised every year and shall remain in force until it is so reviewed and revised. The lists so prepared on the basis of merit and on the basis of seniority-cum-merit shall be arranged in the order of seniority on the category of post from which selection is to be made. Such lists shall be sent to the concerned Appointing Authority together with the Annual confidential Rolls and personal Files of all the candidates included in them as also those not selected, if any.” vide Notification No. F. 7(2) DOP/A-II/81, dated 19-2-1982 w.e.f. 1-4-1981.

% Inserted vide Notification No.F. 11(1) DOP/A-II/77, dated 20-3-80.

occur subsequently. The list so prepared on the basis of seniority-cum-merit and/or on the basis of merit shall be arranged in the order of the seniority in the category of posts from which selection shall be made. Such a list shall be reviewed and revised by the Departmental Promotion Committee that meets in the subsequent year and that such list shall remain in force till the end of the last day of the next year or till the Departmental Promotion Committee meets, whichever is earlier.

(c) "Such lists shall be sent to the Appointing Authority together with Annual Confidential Reports/Annual Performance Appraisal Reports and other Service Records of all the candidates included in the lists as also of those not selected, if any."

Explanation :- for the purpose of selection on the basis of merit, the list of officers graded as 'Outstanding' and 'Very Good' shall be classified in the First category in the order of seniority, the officers graded as 'Good' shall be classified in the Second category in the order of seniority and the officers graded as 'Average' and 'Not Selected' shall be classified in the Third category. The officers graded and classified in the second category list shall be placed below the officers graded and classified in the first category and such officers shall be appointed from this category only if the officers graded and classified in the first category list is exhausted otherwise they shall not be appointed to the Service by promotion. The officers graded and classified in the third category list shall be considered for appointment by promotion.

% "(11-A) if in any subsequent year, after promulgation of these Rules, vacancies relating to any earlier year are determined under sub-rule (2) of rule relating to determination of vacancies which were required to be filled by promotion, the Departmental Promotion Committee shall consider the case of all such persons who would

% sub rule (11-A) subtd. For :-

£ "(11-A) If in any subsequent year, after promulgation of these Rules, vacancies relating to any earlier year are determined under sub-rule (3) of rule mentioned in column 3 of the Schedule which are required to be filled by promotion, the Departmental Promotion Committee shall consider the cases of all such persons who would have been eligible in the year to which the vacancies relate, irrespective of the year in which the meeting of the Departmental Promotion Committee is held and such promotions shall be governed by the rules in force at the time, the meeting of the Departmental Promotion Committee is held. The person who has been so promoted shall not be entitled to claim any arrears of pay or re-fixation of his pay or to count his service/experience for promotion to higher post for any period during which he has not actually performed the duties of the post to which he has been promoted."

vide Notification No. F. 5(3) DOP/A-II/77, dated 18-8-1982. w.e.f. 1-4-1981.

£ Added vide Notification No. F. 5(3) DOP/A-II/77, dated 6-10-1979.

have been eligible in the year to which the vacancies relate irrespective of the year in which the meeting of the Departmental Promotion Committee is held and such promotions shall be governed by the criteria and procedure for promotion as was applicable in the particular year to which the vacancies relate,. And the service/experience of an incumbent who has been so promoted, for promotion to higher post for any period during which he has not actually performed the duties of the post to which he would have been promoted, shall be counted. The pay of a person who has been so promoted shall be re-fixed at the pay which he would have derived at the time of his promotion but no arrears of pay shall be allowed to him.”

% “ (11-B) the Government or the Appointing Authority may order for the review of the proceedings of the D.P.C. Held earlier on account of some mistake or error apparent on the face of record, or on account of a factual error substantially affecting the decision of the D.P.C. Or for any other sufficient reasons e.g. change in seniority, wrong determination of vacancies, judgement/direction of any Court of Tribunal, or where adverse entries in the confidential reports of an individual are expunged or toned down or a punishment inflicted on him is set aside or reduced. The concurrence of the Department of Personnel and the Commission (where Commission is associated) shall always be obtained before holding the meeting of the review D.P.C.”

(12) Where consultation with the Commission is necessary, the lists prepared by the Committee shall be forwarded to the Commission by the Appointing Authority alongwith the Personal Files and Annual Confidential Rolls of all the persons whose names have been considered by the Committee.

(13) The Commission shall consider the lists prepared by the Committee alongwith other relevant documents received from the Appointing Authority and, unless any change is considered necessary, shall approve the lists. In case the Commission consider it necessary to make any change in the lists received from the Appointing Authority, it shall inform the Appointing Authority of the changes proposed by it. After taking into account the comments of the Commission, if any, the Appointing Authority may approve the lists finally with such modifications, as may in its opinion, be just and proper and when the Appointing Authority is an authority subordinate to the Government, the lists approved by the Commission shall be disturbed only with the approval of the Government.

% Added vide Notification No. F. 7(1) DOP/A-II/86, dated 14-6-1988.

(14) Appointment shall be made by the Appointing Authority taking persons out of the lists finally approved under the preceding sub-rule (13) in the order in which they have been placed in the lists, till such lists are exhausted or reviewed and revised, as the case may be.

(15) The Government may issue instructions for provisionally dealing with promotions, appointments or other ancillary matters in an equitable and fair manner of persons who may be under suspension, or against whom departmental proceeding is under progress, at the time promotions are considered to a post to which they are eligible or would have been eligible but for such suspension or pendency of such enquiry or proceedings.

(16) The provisions of this rule shall have effect notwithstanding anything to the contrary contained in any provision of these Rules.

%24-AA. "Restriction on promotion of persons foregoing promotions:- In case a person in his appointment by promotion to the next higher post either on the basis of urgent temporary appointment or on regular basis on the recommendations of the Departmental Promotion Committee, foregoes such an appointment, he shall be considered again for appointment by promotion only after a period of one year (both on the basis of urgent temporary appointment or on regular basis, on the recommendations of the Departmental Promotion Committee)".

£24 B- Notwithstanding anything contained in these Rules, a person belonging to the Scheduled Caste or the Scheduled Tribe promoted to higher post in the Service may be posted by the Appointing Authority in a District or Zone or Range or Division, other than his Home District or Zone or Range or Division.

Provided that :-

(i) for purpose of promotion to higher post, for the persons belonging to Scheduled Caste/Scheduled Tribe, subject to provisions contained in rule relating to 'Seniority,' the **inter-se-seniority** on lower post shall be determined at State level:

(ii) in case a person belonging to Scheduled Caste/Scheduled Tribe is promoted on higher post and posted by the Appointing Authority against a vacancy available in District or Zone or Range or Division, other than the Home District or Zone or Range or Division, he shall be eligible for transfer to his Home District or Zone or Range or Division, only when he has served for a period of not less than five

% Added vide Notification No. F. 15(16) DOP/A-II/80, dated 30-11-1981.

£ Added vide Notification No. F. 7(2) DOP/A-II/80, dated 30-8-1983.

year in the District or Zone or Range or Division, in which he has been posted on promotion to higher post;

(iii) in case a person belonging to Scheduled Castes/Scheduled Tribes, does not want his promotion in another District or Zone or Range or Division, in that event a chance shall be extended for promotion to higher post by the Appointing Authority to the next junior persons;

(iv) in case if in a District or Zone or Range or Division, the persons belonging to Scheduled Castes/Scheduled Tribes, are not available for promotion to higher post against reserved vacancies, in that event such reserved vacancies shall be filled in from amongst the persons belonging to the Scheduled Castes or the Scheduled Tribes, available in another District or Zone or Range or Division.”

PART VI-

Appointments, Promotion And Confirmation

£25. Appointment to the Service by direct recruitment.- Appointment to posts by direct recruitment shall be made by the appointing Authority on occurrence of vacancies by selection of persons in the manner indicated in Rule 22.

@26. Appointments by promotion.- Appointments to post to be

£ Substituted for Rule 25. **Seniority.-** Seniority in the Service shall be determined by the date of the order of appointment to the Service:

Provided that -

(i) the Seniority **inter-se** persons appointed to the Service before the commencement of the Rules, and or in the process of integration of the Service of the pre-re-organisation State of Rajasthan or the Service of the New State of Rajasthan established by the State Re-organisation Act, shall be determined, modified or altered by Government on an **ad hoc** basis.

(ii) If two or more persons are appointed to the Service during the same year a person appointed by promotion shall be senior to a person appointed by direct recruitment.

(iii) The seniority **inter se** of persons appointed to the Service on the basis of one and the same selection; except those who do not join the Service when a vacancy is offered to them shall follow the order in which they have been placed in the list prepared by the Commission or the Director as the case may be.

(iv) The seniority **inter se** of persons appointed to the Service by promotion shall follow the order in which they have been placed in the next below cadre” vide Notification No. F. 8(1) (30) Ind.(B)/63, dated 8-10-1966.

@ Substituted for Rule 26. promotion. - All member of the Service shall on First appointment be placed on probation for one year. During the period of probation all members of the Service shall be required to pass such departmental examination and undergo such training as the Director may from time to time prescribe, vide Notification No. F. 8(1) (30) Ind.(B)/63, dated 8-10-1966.

filled by promotion shall be made by the Appointing Authority from the list prepared under Rule 24 and 24(A).

%27. Urgent temporary Appointment.- (1) A vacancy in the Service which cannot be filled in immediately either by direct recruitment or by promotion under the Rules may be filled in by the Government or by the x "Authority, competent to make appointments." as the case may be, by appointing in an officiating capacity thereto an officer eligible for appointment to the post by promotion or by appointing temporarily thereto a person eligible for direct recruitment to the service where such direct recruitment has been provided under the provisions of these Rules.

Provided that such an appointment will not be continued beyond a period of one year without referring the case to the Commission for concurrence where such concurrence is necessary and shall be terminated immediately on its refusal to concur:

£"Provided further that in respect of the Service or a post in Service for which both the above methods of recruitment have been prescribed, the Government or the Authority competent to make appointment, as the case may be, shall not save with the specific permission of the Government in the Department of Personnel in the

% Substituted for

+ **27. "Temporary or officiating appointment.-** (1) A temporary vacancy may be filled by the Appointing Authority by appointing thereto temporarily or in an officiating capacity a person eligible for appointment by direct recruitment/promotion to post on the Service under the provisions of these Rules."

(2) Appointments made by the Appointing Authority under sub-rule (1) above shall not be continued beyond a period of one year without referring it to the Commission for their concurrence and shall be terminated immediately on their refusal to concur," vide Notification No. F. 1(10) DOP/A-II/72, DATED 16-2-1973.

+ Substituted for Rule "**27. Unsatisfactory progress during probation.-** (1) If it appears to the Director at any time during or at the end of the period of probation that a member of the Service has not made sufficient use of his opportunities or that he has failed to give satisfaction, the Director may revert him to the post held substantively by him immediately preceding his appointment to the Service, provided he holds a lien thereon or in other cases may remove him from service;

Provided that the Director may extend the period of probation of any member of the Service by a specified time not exceeding one year.

(2) A probationer reverted or removed from service during or at the period of probation under sub-rule(1) shall not be entitled to any compensation, vide Notification No. F. 8(1) (30) Ind.(B)/63, dated 8-10-1966.

x Substituted for the words "Appointing Authority" vide corrigendum No. F. 1(10) DOP/A-II/72, dated 12-9-1973.

£ "Substituted for :-

Provided further that in respect of a Service or a post in a Service for which both the methods of recruitment have been prescribed, the Government)or the Appointing Authority as the case may be) shall not fill the temporary vacancy by appoining a person eligible for direct recruitment unless no suitable person eligible for promotion is available, vide Notification No. F. 1(10) DOP/A-II/72, dated 28-11-73.

case of State Services and Government in the Administrative Department concerned in respect of other services, fill the temporary vacancy against the direct recruitment quota by a whole-time appointment for a period exceeding three months, otherwise than out of persons eligible for direct recruitment and after a short term advertisement.”

@(2) In the event of non-availability for suitable persons, fulfilling the requirements of eligibility for promotion, Government may, notwithstanding the condition of eligibility for promotion required under sub-rule (1) above, lay down general instructions for grant of permission to fill the vacancies on urgent temporary basis subject to such conditions and restrictions regarding pay and other allowances as it may direct. Such appointments shall however, be subject to concurrence or the Commission as required under the said sub-rule.

\$28. Seniority:- “Seniority of persons appointed to the lowest post of the Service or lowest categories of posts in each of the Groups/Sections of the Service, as the case may be, shall be determined from the date of confirmation of such persons to the said post but in respect of persons appointed by promotion to other higher post in the Service or other higher categories of posts in each of the Groups/Sections in the Service, as the case may be, shall be determined from the date of their regular selection to such posts.”

Provided-

(1) That the seniority **inter se** of the persons appointed to the Service before the commencement of these Rules and or in the process of integration of the Service of the pre-reorganisation State of Rajasthan or the Services of the new State of Rajasthan established by the State Re-organisation Act 1956, shall be determined, modified or altered by the Appointing Authority, on an **ad hoc** basis;

(2) That if two or more persons in the same wing are appointed to the Service in the same year, a person appointed by promotion, shall be senior to a person appointed by direct recruitment;

@ Inserted vide Notification No. F. 7(7) DOP/A-II/75, dated 31-10-75, effective from 7-6-1960.

\$ Rule 28 substituted for:-

\$\$ **28.Seniority:-** Seniority in the Service shall be determined in each category of the Service by the year of substantive appointment;

vide Notification No. F. 7(8) DOP/A-II/78, dated 20-7-1979.

\$\$ Substituted for”**28.Seniority:-** Seniority in the Service shall be determined by the year of substantive appointment to the Service.”; vide Notification No. F. 7(6) DOP/A-II/73, dated 15-11-1976.

(3) That the seniority **inter se** of persons appointed to the Service by direct recruitment on the basis of one and the same selection except those who do not join service when a post is offered to them, shall follow the order in which they have been placed in the list prepared by the Commission or by the Appointing Authority, as the case may be, under Rule 20;

@(4) "That the persons selected and appointed as a result of a selection, which is not subject to review and revision shall rank senior to the persons who are selected and appointed as a result of subsequent selection.

Seniority **inter se** of persons selected on the basis of seniority-cum-merit and on the basis of merit in the same selection shall be the same as in the next below grade.

(5) That the seniority **inter se** of persons appointed by promotion from different posts shall be determined from the date of their substantive appointment on the post from which promotion is made.

\$(6) "Deleted".

***29. "Period of probation.-"** + (1) All persons appointed to the Service by direct recruitment against a substantive vacancy shall be placed

@ Substituted for:- (4) that the persons selected and appointed as a result of a selection which is not subject to review and revision, shall rank senior to the persons who are selected, and appointed as a result of subsequent selection. Seniority **inter se** of persons selected on the basis of seniority-cum-merit shall be the same as in the next below grade, except in case of continued officiation on higher posts when it shall be in accordance with the length of continued officiation, provided that such officiation was not **ad hoc** or fortuitous, vide Notification No. F. 7(10) DOP/A-II/77, dated 17-6-1978.

\$ Deleted" (6) that the seniority **inter se** of persons selected as a result of one and the same selection and appointed on the basis of merit alone shall be in the same order in which their names appear in the select list, irrespective of the period of continuous officiation," vide Notification No. F. 7(10) DOP/A-II/77, dated 17-6-1978.

* Substituted for "**29. Probation.-** (1) All members of the Service appointed by direct recruitment and those who are promoted shall be on probation for a period of two year and one year respectively.

Provided that such of them as have previous to such appointment officiated or served temporarily on a post encadred in the Service may be permitted by the Appointing Authority to count such officiating or temporary service towards the period of probation, up to a maximum of six months,

(2) During the period o probation, each probationer shall be required to pass such departmental Examination and to undergo such training as the Government may from time to time specify, vide Notification No. F. 1(35) Karmik/Ka-II/74, dated 4-5-77, effective from the date of publication in the Gazette.

+ Sub-rule(1) of Rule 29 substituted for:- "(1) Every person Appointed against a substantive vacancy in the Service by direct recruitment shall be placed on probation for a period of two years and those appointed by promotion/ £"Special Selection" to any post against such a vacancy shall be on probation for a period of one year: vide Notification No. F. 1(35) DOP/A-II/74, dated 9-4-1979.

£ Inserted vide Notification No. F. 1(35) Karmik/Ka-II/74 dated 3-8-1977.

on probation for a period of two years and those appointed to the Service by promotion/Special Selection against a substantive vacancy shall be placed on probation for a period of one year.”

Provided that:-

(i) such of them as have, previous to their appointment by promotion/£”Special Selection” or by direct recruitment against a substantive vacancy officiated temporarily on the post which is followed by regular selection may be permitted by the Appointing Authority to count such officiating or temporary service towards the period of probation. This shall, however, not amount to involve super session of any senior person or disturb the order of their preference in respective quota or reservation in recruitment;

(ii) any period after such appointment during which a person has been on deputation on a corresponding or higher post shall count towards the period of probation.

(2) During the period of probation specified in sub-rule (1), each probationer may be required to pass such Departmental Examination and to undergo such training as the Government may, from time to time, specify.

Explanation.- In case of a person who dies or is due to retire on attaining the age of superannuation the period of probation shall be reduced so as to end one day earlier on the date immediately preceding the date of his death or retirement from Government Service. The condition of passing the Departmental. Examination in the Rule regarding confirmation shall be deemed to have been waived in case of death or retirement.”

\$29-A. “Confirmation in certain cases.- (1) Notwithstanding anything to the contrary contained in the preceding Rule a person appointed

£ Inserted vide Notification No. F. 1(35) Karmik/Ka-II/74, dated 3-8-77.

\$ Rule 29-A substituted for:-

@ **29-A.** (a) Notwithstanding anything contained in the Rule if no order of confirmation is issued by the Appointing Authority within a period of six months, an employee appointed on temporary or officiating basis who has, after the date of his regular recruitment by either method of recruitment, completed a period of two years service, or less in the case of those appointed by promotion where the period of probation prescribed is less, on the post or a higher post under the same Appointing Authority or would have so worked but for his deputation or training, shall on the occurrence of permanent vacancies be entitled to be treated as confirmed if the same occurrence of permanent vacancies be entitled to be treated as confirmed if the same conditions as are prescribed under the rules for the confirmation of a probationer are fulfilled subject to the quota prescribed under the Rules and in accordance with his seniority:

Contd. . . .

to a post in the Service Temporarily or on officiating basis who, after regular recruitment by any one of the methods of recruitment prescribed under these Rules, has not been confirmed, within a period of six months on completion of a period of two years service in case he is appointed by direct recruitment or within a period of one year's service in case he is appointed by promotion, shall be entitled to be treated as confirmed in accordance with his seniority, if:-

(I) he has worked on the post or higher post under the same Appointing Authority or would have so worked but for his deputation or training;

Contd . . .

Provided that if the employee has failed to give satisfaction or has not fulfilled any of the conditions prescribed for confirmation, such as passing of Departmental Examination, training or promotion cadre course etc. the aforesaid period may be extended as prescribed for probation or under the Rajasthan Civil Services Departmental Examination Rules, 1959 and any other Rules, or by one year, whichever is longer. If the employee still fails to fulfil the prescribed conditions or fails to give satisfaction, he will be liable to be discharged from such post in the same manner as a probationer or reverted to his substantive or lower post, if any to which he may be entitled:

Provided further that no person shall be debarred from confirmation after the said period of service if no reasons to the contrary about the satisfactory performance of his work are communicated to him within the said period.

(b) The reasons for not confirming an employee referred to in the second proviso to clause (a) shall in the case of a non-gazetted employee, be also immediately, recorded by the Appointing Authority in his Service Book and C.R. File and in the case of Gazetted Officer communicated to the Accountant General Rajasthan and in his confidential Report File. A written acknowledgment shall be kept on record in all these cases.

Explanation.- (i) Regular recruitment for the purpose of this rule shall mean appointment after either of the methods of recruitment or on initial constitution of Service in accordance with any of the Service Rules promulgated under proviso to Article 309 of the Constitution of India or for posts for which no Service Rules exist, if the posts are within the purview of Rajasthan Public Service Commission recruitment in consultation with them but it shall not include an urgent temporary appointment, **ad hoc** appointment or officiating promotion against temporary or lien vacancies which are liable to review, revision from year to year. In case where the Service Rules specifically permit appointment by transfer, such appointment shall be treated regular recruitment if the appointment to the post from which the official was transferred was after regular recruitment. Persons who have been made eligible for substantive appointment to a post under the Rules shall be treated as having been regularly recruited.

(ii) Persons who hold lien in another cadre shall be eligible to be confirmed under this rule and they will be eligible to exercise an option whether they do not elect to be confirmed on the expiry of two years of their temporary appointment under this Rule. In the absence of any option to the contrary, they shall be deemed to have exercised option in favour of confirmation under this rule and their lien on the previous post shall cease.

Vide Notification No. F. 2(4) DOP/A-II/79, dated 22-11-1984.

Contd. . . .

(ii) he fulfills conditions as are prescribed under Rule relating to Confirmation subject to the quota prescribed under these Rules: and

(iii) permanent vacancy is available in the department.

(2) If an employee referred to in sub-rule (1) above fails to fulfil the condition mentioned in the said sub-rule. The period mentioned in sub-rule (1) above, may be extended as prescribed for a probationer under the Rajasthan Civil Services (Departmental Examinations) Rules, 1959 and any other Rules or by one year, whichever is longer. If the employee still fails to fulfil the conditions mentioned in sub-rule (1) above, he will be liable to be discharged or terminated from such post in the same manner as a probationer or reverted to his substantive or lower post, if any, to which he may be entitled.

(3) The employee referred to in sub-rule (1) above, shall not be debarred from confirmation after the said period of service if no reasons to the contrary about the satisfactory performance of his work are communicated to him within the said period of service.

(4) The reasons for not confirming of any employee referred to in sub-rule (1) above shall be recorded by the Appointing Authority in his Service Book and Annual Performance Appraisal Report,

Explanation.- (1) Regular recruitment for the purpose of this Rule shall mean:-

(a) appointment by either method of recruitment or on initial constitution of Service in accordance with the Rules made under the proviso to Article 309 of the Constitution of India;

(b) appointment to the posts for which no Service Rules exist, if the posts are within the purview of the Commission, recruitment in consultation with them;

(c) appointment by transfer after regular recruitment where the Service Rules specifically permit;

(d) persons who have been made eligible for substantive appointment to a post under the Rules shall be treated as having been regularly recruited;

provided that it shall not include urgent temporary appointment or officiating promotion which is subject to review and revision.

@ Substituted for “**29-A.-** Notwithstanding anything contained in the Rule, on a permanent vacancy being available a person who has been appointed on a post against a temporary vacancy after a regular selection, and has thereafter put in more than 2 years service on such post or higher post shall be deemed to have completed the period of probation and shall be confirmed provided he fulfills other conditions of confirmation as laid down in these Rules”, vide Notification No. F. 7(7) DOP/A-II/74, dated 28-12-74.

(2) Persons who hold lien on another cadre shall be eligible to be confirmed under this Rule and they will be eligible to exercise an option whether they do not elect to be confirmed on the expiry of two years of their temporary appointment under this rule. In the absence of any option to the contrary, they shall be deemed to have exercised option in favour of confirmation under this Rule and their lien on the previous post shall cease.”

@30. Unsatisfactory Progress during Probation.- (1) If it appears to the Appointing Authority, at any time, during or at the end of the period of probation, that a member of the Service has not made sufficient use of his opportunities or that he has failed to give satisfaction, the Appointing Authority may revert him to the post held substantively by him immediately preceding his appointment, provided he hold a lien thereon or in other cases may discharge or terminate him from service:

Provided that the Appointing Authority may, if it so thinks fit in any case or class of cases, extend the period of probation of any member of Service by a specified period not exceeding two years in case of person appointed to a post in the Service by direct recruitment and one year in the case of person appointed by promotion*/special selection to such post:

+ + Provided further that the Appointing Authority may, if it so thinks fit in case of persons belonging to the Scheduled Castes or Scheduled Tribes, as the case may be, extend the period of probation by a period not exceeding one year at a time and a total extension not exceeding three years.

(2) Notwithstanding anything contained in the above proviso, during the period of probation, if a probationer is placed under suspension, or disciplinary proceedings are contemplated or started against him, the period of his probation may be extended till such period the Appointing Authority thinks fit in the circumstances.

@ Substituted for “**30. Unsatisfactory progress during Probation.-** (1) If it appears to the Appointing Authority at any time during or at the end of the period of probation, that a member of the Service has not made sufficient use of his opportunities or that he has failed to give satisfaction, the Appointing Authority may discharge him from service or revert him to the post held substantively by him immediately preceding his appointment;

Provided further that the Appointing Authority may extend the period of probation of any member of the Service by a specified period not exceeding one year.

(2) A probationer reverted or discharged from service during or at the end of the period of probation under sub-rule (1) shall not be entitled to any compensation” vide Notification No. F. 1(35) Karmik/Ka-II/74, dated 4-5-1977.

* Inserted vide Notification No. F. 1(35) Karmik/Ka-II/74, dated 3-8-1977.

+ + Inserted vide Notification No. F. 7(6) DOP/A-II/77, dated 26-10-1977. effective from 1-11-1973.

(3) A probationer reverted or discharged from service during or at the end of the period of probation under sub-rule (1) shall not be entitled to any compensation.

@@ 31. Confirmation.- A probationer shall be confirmed in his appointment at the end of his period of probation, if-

(a) he has passed the Departmental Examination, if any, completely,

(b) he has passed Departmental Test of Proficiency in Hindi, and

(c) The Appointing Authority is satisfied that his integrity is unquestionable and that he is otherwise fit for confirmation.

***31 A.-** Notwithstanding anything contained in Rule 31, a probationer shall be confirmed in his appointment at the end of his period of probation even if the prescribed Departmental Examination/training/proficiency Test in Hindi, if any, are not held during the period of probation laid down in the Rules provided:

(i) he is otherwise fit for confirmation, and

(ii) the period of probation expires on or before the date of publication of this amendment in the Rajasthan Rajpatra.

****32. Pay during probation.-** The initial pay of a person appointed by direct recruitment to a post in the Service/cadre shall be the minimum of the scale of pay of the post:

Provided that the pay of a person already serving in connection with the affairs of the state shall be fixed in accordance with the provisions of the Rajasthan Service Rules, 1951.

@@ Substituted for Rule 31 **“Criteria for crossing an efficiency bar.-** No member of the Service shall be allowed to cross an efficiency bar unless in the opinion of the Director he has worked satisfactorily and his integrity is unquestionable.” vide Notification No. F. 8(1) (30) Ind. (B)/63, dated 8-10-1966.

* Inserted vide Notification No. F. 1(12) Appts./A-II/68, Pt.V, dated 17-10-1970.

** Substituted for

Rule + **32. Scales of pay.-** “The Scale of Monthly pay of a person appointed to a post in the Service, shall be such as may be admissible under the Rules referred to in Rule 35 or as may be sanctioned by the Government from time to time”. Vide Notification No. F. 1(15) Appts./A-II/67, dated 6-2-1969, and corrigendum of even No. dated 15-7-1970.

+ Substituted for Rule 32. **“Regulation of leave, allowances, pensions, etc-** Except as provided in these rules the pay, allowances, pensions, leave etc., shall be regulated by:-

(1) The Rajasthan Travelling Allowance Rules, 1949.

(2) The Rajasthan Civil Services (Unification of Pay Scales) Rules, 1950.

(3) The Rajasthan Civil Services (Rationalisation of pay Scales) Rules, 1956.

(4) The Rajasthan Civil Services (Classification, Control and Appeal) Rules 1958.

(5) The Rajasthan Service Rules, 1951 and any other Rules made by the appropriate authority under the proviso to Article 309 of the Constitution of India and for the time being in force” vide Notification No. F. 8(1)(30) Ind.(B) 63 dated 8-10-1966.

\$33. Increment during probation.- A probationer shall draw increment, in the scale of pay admissible to him in accordance with the provisions of the Rajasthan Service rules, 1951.

@34. Criteria for crossing an Efficiency Bar.- No member of the Service shall be allowed to cross an Efficiency Bar unless in the opinion of the Appointing Authority he has worked satisfactorily and his integrity is unquestionable.

@35. Regulations of leave, Allowances, Pension etc.- Except as provided in these Rules, the pay, allowances, pensions, leave and other conditions of Service of a member of the Service shall be regulated by:-

(1) The Rajasthan Travelling Allowance Rules, 1971, as amended up-to-date;

(2) The Rajasthan, Civil Services (Unification of Pay Scales) Rules, 1950. as amended up-to-date;

(3) The Rajasthan, Civil Services (Rationalisation of Pay Scales) Rules, 1956 as amended up-to-date;

(4) The Rajasthan, Civil Services (Classification, Control and Appeal) Rules, 1958 as amended up-to-date;

(5) The Rajasthan, Civil Services (Revised Pay) Rules, 1961 as amended up-to-date; and

(6) The Rajasthan, Services Rules, 1951 as amended up-to-date;

(7) Any other Rules prescribing general conditions of Service made by the Appropriate Authority under the proviso to Article 309 of the Constitution of India and for the time being in force.

@ 36. Removal of doubts.- If any doubt arises relating to the application and scope of these Rules, it shall be referred to Government in the + “Department of Personnel” whose decision thereon shall be final.

\$ Substituted for:-

33. Increments during probation.- A probationer shall draw increments in the scale of pay admissible to him during the period of probation as they accrue:

Provided that if the period of probation is extended on account of failure to give satisfaction or he could not make sufficient use of his opportunities, such selection shall not count for increment unless the Appointing Authority otherwise directs.

Vide Notification No. F. 3(II) Appts./A-II/58/IV, dated 16-10-73.

@ Rules 34, 35, 36 inserted vide Notification No. F. 8(1) (30) Inds. (8)/63, dated 8-10-1966.

+ Substituted for the words “Appointments Department” vide Notification No. F. 1(13) DOP/A-II/72-I, dated 3-1-1973, effective from 17-7-72.

@@37. Power to relax Rules.- In exceptional cases where the Administrative Department of the Government is satisfied that operation of the Rules relating to age or regarding recruitment of experience for recruitment causes under hardship in any particular case or where the Government is of the opinion that it is necessary or expedient to relax any of the provisions of these Rules with respect to age or experience of any persons, it may with the concurrence of the Department of Personnel and Administrative Reforms and in consultation with the Commission by orders dispense with or relax the relevant provisions of these Rules to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner, provided that such relaxation shall not be less favourable than the provisions already contained in these Rules. Such cases of relaxation shall be referred to the Rajasthan Public Service Commission by the *” Administrative Department concerned.”

@@ Rule 37 “Power to relax” added vide Notification No. F. 11(2) DOP/A-II/75, dated 27-12-78.

* Substituted for the expression “Department of Personnel and Administrative Reforms (Department of Personnel-A-Group-II).”
vide Notification No. F. 11(2) DOP/A-II/75, dated 18-8-82.