

**GOVERNMENT OF RAJASTHAN
DEPARTMENT OF PERSONNEL
(A Group-II)**

No. F. 2(/) DOP/A-II/2014

Jaipur, dated 28/01/2014

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Rajasthan hereby makes the following Rules regulating recruitment to post (s) in, and the conditions of services of persons appointed to the Subordinate, Ministerial and Class-IV Services' posts created by various departments of the Government of Rajasthan for the Scheduled Areas situated within the State of Rajasthan, namely:-

**THE RAJASTHAN SCHEDULED AREAS SUBORDINATE, MINISTERIAL AND
CLASS-IV SERVICE (RECRUITMENT AND OTHER SERVICE CONDITIONS)
RULES, 2014.**

**PART - I
GENERAL**

1. **Short title, commencement and application.** - (1) These rules may be called the Rajasthan Scheduled Areas Subordinate, Ministerial and Class-IV Service (Recruitment and other Service Conditions) Rules, 2014.

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

(3) They shall apply to entire establishments of the Subordinate, Ministerial and Class-IV services of various departments created in the Scheduled Areas within the State of Rajasthan under the administrative control of the Government for appointments to posts in connection with the affairs of the State.

2. **Definitions.**- In these rules unless the context otherwise requires,-

(a) "Appointing Authority" means the Appointing Authority defined in the concerned service rules in respect of the Subordinate, Ministerial and Class IV service posts for the post sanctioned by the Government from time to time and other Officer to whom powers in this behalf may be delegated by the Government by special or General Order on such condition as it may deem fit;

(b) "Commission" means the Rajasthan Public Service Commission;

(c) "Committee" means the Committee constituted under rule 28;

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- (d) "Department" means respective Department of the Government of the Cadre/ Service to which the vacancy relates .
- (e) "Direct recruitment" means the recruitment made in accordance with the Procedure as prescribed in Part-IV of these rules;
- (f) "Government" means the Government of Rajasthan;
- (g) "Member of the service" means a person appointed to a post in the service on the basis of regular selection under the provisions of these rules or the rules or orders superseded by these rules;
- (h) "Schedule" means Schedule -I, Schedule -II, Schedule-III and Schedule-IV and/or any other schedule appended to the relevant Service Rule pertaining to the posts under the respective Department;
- (i) "Scheduled Area" means the areas declared as such by the President of India, vide Notification No. F.19 (2) 80-L-1, dated 12.02.1981, as amended from time to time.
- (j) "Service" means the Rajasthan Scheduled Areas Subordinate Service, Ministerial Service, Class-IV service, as the case may be, of the respective department;
- (k) "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 post(s) in the case of a person holding the lower post(s) eligible for promotion to higher post(s) shall include the period for which the person has continuously worked on such lower post(s) after regular selection in accordance with the provisions of these rules;

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

- (l) "State" means the State of Rajasthan;
- (m) "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 trainee followed by confirmation on completion of the probationary period;

Note: Due selection by any of the methods of recruitment prescribed under these Rules shall include recruitment either on the initial

constitution of the Service or in accordance with the provisions of any rules promulgated under the proviso to Article 309 of the Constitution of India, except an urgent temporary appointment; and

(n) "Year" means the financial year.

3. Interpretation.— Unless the context otherwise requires, the Rajasthan General Clauses Act, 1955 (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

4. Composition and strength of the Service.— (1) The posts of Subordinate Service, Ministerial Service, Class-IV Service included in each category of the service shall be as specified in column No. 2 of Schedule -I, Schedule -II, Schedule-III and Schedule-IV and/or any other schedule as the case may be, appended to the respective Recruitment Rules in force in the Department concerned.

(2) Strength of the post(s) in the Service shall be such as may be determined by the Government from time to time:

Provided that the Government may-

- (a) create any post(s) permanent or temporary, from time to time, as may be found necessary and may abolish any such post(s) in the like manner without thereby entitling any person to any compensation; and
- (b) leave unfilled or hold in abeyance or abolish any post permanent or temporary, from time to time, without thereby entitling any person to any compensation.

5. Constitution of the service.— The Service shall consist of,-

- (a) all persons holding substantively the post(s) in the Scheduled Area on the date of commencement of these rules;
- (b) all persons recruited to the post(s) included in the Service and remained in position in the Scheduled Area before commencement of these rules and opted for the service as provided in sub-rule (3) of rule 6, and
- (c) all persons recruited to the Service by any of the methods of recruitment laid down in rule 6 of these rules.

PART -III
RECRUITMENT

6. Methods of recruitment.— (1) Recruitment to the post(s) in the service after the commencement of these rules shall be made by the following methods in the proportion as indicated in schedule or schedules, as the case may be, appended to the relevant Recruitment Rules in force under the control of the Head of Department concerned, namely:-

- (a) by direct recruitment in accordance with the procedure prescribed in Part-IV of these rules.
- (b) by promotion in accordance with the procedure prescribed in Part-V of these rules.

(2) Recruitment to the Service by the aforesaid methods shall be made in such a manner that persons appointed to the service by each method do not at any time exceed the percentage laid down in the Rules/Schedules of the total cadre strength as sanctioned for each category for the Scheduled Areas, from time to time:

Provided that if the Appointing Authority is satisfied 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 prescribed proportion may be made in the same manner as specified in these rules.

(3) Existing persons in position in the Scheduled Area shall have one time option for their absorption in the existing position within one month from the date of receipt of the communication to this effect from the Appointing Authority concerned. The person so absorbed shall not have the right to be transferred and/or deputed out side this closed cadre. Provided that the options so received shall be considered by the Committee for the screening as may be considered by it, as to whether any such person shall be absorbed or not. The Person who has not been absorbed shall continue on deputation without deputation benefit until regular recruitment against this post is made.

(4) Notwithstanding any thing contained in these Rules 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.

7. Compassionate Appointment of Dependents of the Deceased/Permanently Incapacitated Armed Forces Service Personnel/Paramilitary Personnel.— (1) Notwithstanding anything contained in these rules the Appointing Authority may fill the vacancies of the —

- (i) posts up to PB-1, Grade Pay.No.10 to be filled in by direct recruitment by appointing on compassionate ground one of the dependents of a member of Armed Forces/Paramilitary Forces belonging to Scheduled Areas of the State who becomes permanently incapacitated on or after 1.04.1999 in any defence operations including counter insurgency operations and operations against terrorists;
- (ii) posts up to PB-2, Grade Pay.No.12 to be filled in by direct recruitment by appointing on compassionate ground, one of the dependents of a member of Armed Forces/Paramilitary Forces belonging to Scheduled Areas of the State who dies on or after 1.04.1999 in any defence operations including counter-insurgency operations and operations against terrorists;
- (iii) posts up to PB-1, Grade Pay.No.10 to be filled in by direct recruitment by appointing on compassionate ground one of the dependents of a member of Armed Forces belonging to Scheduled Areas of the State who dies or was permanently incapacitated in war or any defence operations including counter insurgency operations and operations against terrorists during the period from 1.01.1971 to 31.03.1999;

subject to fulfillment of the educational qualifications and other service conditions prescribed under the relevant service rules and with the concurrence of Department of Personnel and the Commission, if the post falls within the purview of the Commission:

Provided that-

- (a) if the Armed Forces/Para Military personnel who are permanently incapacitated are capable of and desirous of obtaining employment for themselves under the State Government, employment shall be given to them.
- (b) if the widow or the children of the Armed Forces/Para Military personnel who are killed or permanently incapacitated are not in a position to take up employment immediately, employment will be given to them on acquiring of eligibility for appointment.

(2) Appointment shall be given to a dependent of Armed Forces/Para Military personnel only if any one of them has not got appointment on any post under the provisions of concerned service rules prevailing in the Government of India;

(3) Appointment shall not be given to such dependent if any of the other dependents of the Armed Forces/Para Military personnel is already employed on regular basis under the Central/any State Government or Statutory Board/ Organization/ Corporation owned or controlled wholly or partially by the Central/any State Government at the time of death of the Armed Forces/Para Military Personnel;

Provided that this condition shall not apply where the widow seeks employment for herself.

(4) Such dependent shall address an application for the purpose to the Zila Seinik Kalyan Adhikari in the case of Armed Forces and the Officer Commanding the Para Military Unit for Para Military Forces duly verified by the Head of the Unit where the deceased/permanently incapacitated member of the Armed Forces/Para Military Forces was serving at the time of death/becoming permanently incapacitated. The application shall be considered in relaxation of the normal recruitment rules subject to the condition that the dependent fulfills the academic qualifications and experience, except for appointment to Class IV for which educational qualification and age limit prescribed for the post shall be relaxed and the applicant is also otherwise qualified for the Government Service.

(5) The application of such dependent shall be forwarded to the District Collector concerned for suitable appointment according to the qualifications possessed by the dependent. In the event of non availability of vacancy in the Scheduled Area as also outside the Scheduled Area of the District, the application shall be sent to the Divisional Commissioner who shall arrange appointment in any other Scheduled Area/District under his jurisdiction.

(6) If vacant post is not available under the jurisdiction of the Divisional Commissioner as also in entire Scheduled Areas, then the application shall be referred by the Divisional Commissioner to Government in the Department of Personnel for providing appointment.

(7) The application shall contain the following information:-

- (i) Name and designation of deceased/permanently incapacitated Armed Forces/ Para Military Forces personnel;
- (ii) Unit in which he/she was working prior to death/becoming permanently incapacitated;
- (iii) Date and place of death with death certificate issued by the Authority competent to declare him/her a battle casualty or becoming permanently incapacitated; and
- (iv) Name, date of birth, educational qualification of the applicant and his/her relation with the deceased (with certificates).

Explanation: For the purpose of this rule-

- (a) "Armed Force" means the Army, Navy and Air Force of the Union.

- (b) "Dependent" means spouse of the deceased/permanently incapacitated person, son/adopted son, unmarried daughter/un-married adopted daughter who were wholly dependent on the deceased/permanently incapacitated Armed forces Service Personnel/Para Military Personnel;

Note: Adopted son/daughter means legally adopted son/daughter by the deceased/ permanently incapacitated person during his/her life.

- (c) "Para Military Forces" means the Border Security Force, Central Reserve Police Force, Indo Tibetan Border Police and any other Para Military Force, as may be notified by the Central and State Government, from time to time.

- (d) "Permanently incapacitated" means a person who is covered under the definition of the term "person with disabilities" as provided in the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (Act No.1 of 1996).

8. Reservation of vacancies for 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 law prevailing in the Scheduled Area for such reservation in force at the time of recruitment i.e. by direct recruitment and by promotion for Scheduled Areas.

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

(3) In filling the vacancies so reserved, the eligible candidates who are members of the Scheduled Castes and the Scheduled Tribes belonging to the Scheduled Areas, shall be considered for appointment in the order in which their names appear in the list prepared for direct recruitment by the Commission/Committee or the Appointing Authority, as the case may be, and the Committee or the Appointing Authority, as the case may be, in the case of promotees irrespective of their relative rank as compared with other candidates.

(4) Appointments shall be made strictly in accordance with the rosters prescribed separately for direct recruitment and promotion.

(5) In the event of non-availability of the eligible and suitable candidates amongst the Scheduled Castes and the Scheduled Tribes, as the case may be, for direct recruitment, in a particular year, the vacancies so reserved for them shall be carried forward to the subsequent three recruitment years. After the expiry of three recruitment years, such carried forward vacancies shall be filled in accordance with the normal procedure:

Provided that if recruitment is not held in any recruitment year, such recruitment year shall not be counted for the purpose of this sub-rule.

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Provided further that filling up of the vacancies in accordance with the normal procedure under this sub-rule shall not affect the reservation of posts as per the post based roster and vacancies on the reserved posts available in the roster may be filled in from amongst the persons belonging to the Scheduled Castes or Scheduled Tribes, as the case may be, for which such vacancy is available in subsequent years.

(6) In the event of non-availability of the eligible and suitable candidates for promotion amongst the Scheduled Castes and the Scheduled Tribes, as the case may be, in a particular year, the vacancies so reserved for them shall be carried forward until the suitable Scheduled Castes and the Scheduled Tribes candidate(s), as the case may be, are available. In any circumstances no vacancy reserved for the Scheduled Castes and the Scheduled Tribes candidates shall be filled by promotion from General category candidates. In exceptional cases, where in the public interest the Appointing Authority feels that it is necessary to fill up the vacant reserved post(s) by promotion from the General category candidates on urgent temporary basis, the Appointing Authority may make a reference to the Department of Personnel and after obtaining prior approval of the Department of Personnel, they may fill up such post(s) by promoting the General category candidate(s) on urgent temporary basis clearly stating in the promotion order that the General category candidate(s) who are being promoted on urgent temporary basis against the vacant post reserved for the Scheduled Castes or the Scheduled Tribes candidates, as the case may be, shall have to vacate the post as and when the candidate(s) of that category become(s) available.

9. Reservation of vacancies for woman candidates.- Reservation of vacancies for the woman candidates belonging to Scheduled Area shall be 30%, category wise, in direct recruitment out of which 8% shall be for widows and 2% for divorced candidates. In the event of non-availability of the eligible and suitable widows and divorced woman candidates in a particular year, the vacancies so reserved for widows and divorced woman candidates shall be filled by other woman candidates and in the event of non-availability of eligible and suitable woman candidates, the vacancies so reserved for them shall be filled up by male candidates and such of the vacancies shall not be carried forward to the subsequent recruitment year and the reservation shall be treated as horizontal reservation i.e. the reservation of woman candidates shall be adjusted proportionately in the respective category to which the woman candidates belong:

Provided that reservation of vacancies for woman candidates for the post of Nurse Grade-II in the Medical and Health Department shall be 50% category wise, instead of 30%, out of which 8% shall be for widows and 2% for divorced candidates

Explanation: 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 divorce.

10. Reservation of vacancies for Outstanding Sportspersons.- Reservation of vacancies for the Outstanding Sportspersons belonging to Scheduled Area shall be 2% of the total vacancies out side the purview of the Commission in that year earmarked for

direct recruitment. In the event of non-availability of the eligible and suitable sportspersons in a particular year, the vacancies so reserved for them shall be filled in accordance with the normal procedure and such vacancies shall not be carried forward to the subsequent year. The reservation for Sportspersons shall be treated as horizontal reservation and it shall be adjusted in the respective category to which the Sportspersons belong.

Explanation: "Outstanding Sportspersons" shall mean and include the Sports persons belonging to the Scheduled Area of the State, who:-

- (i) represented Indian Team in Individual or in Team event in any International Tournament of any Sports and Games, recognized by the Indian Olympic Association or concerned recognized National Sports Federation;
- or
- (ii) represented Indian Team in Individual or in Team event in any International Tournament of any Sports and Games, recognized by the Indian School Sport Federation or concerned recognized National School Games Federation;
- or
- (iii) Medal Winner in the Individual or in Team event in any National Tournament of any Sports and Games, recognized by the Indian Olympic Association or concerned recognized National Sports Federation;
- or
- (iv) Medal Winner in the All India Inter University Tournament in Individual event or in Team event in any Sports and Games, recognized by the Indian Universities Association.

11. Reservation of vacancies for ex-servicemen.- The reservation of vacancies for duly discharged ex-servicemen belonging to the Scheduled Area shall be $\frac{1}{3}^{\text{rd}}$ of the total vacancies of direct recruitment for the post of driver. Such reservation shall be category wise and an ex-serviceman selected on his own merit shall be counted against vacancies reserved for ex-servicemen. In the event of non-availability of suitable ex-servicemen in any category the vacancy shall be filled by other suitable candidates of the same category in order of their merit and shall not be carried forward. The reservation shall be treated as compartmentalized horizontal reservation.

Explanation: For the purpose of this rule Driver means Driver of Motor Vehicle, Vehicle Driver, Motor/Tractor Driver, Tractor Driver/Jeep Driver/Truck Driver.

12. Nationality.- A candidate for appointment to the Service must be:-

- (a) a citizen of India with bonafide domicile at a Scheduled Area in the State; or
- (b) a Tibetan refugee who came over to India before 1st January, 1962 with the

- intention of permanently settling in India with bonafide domicile at a Scheduled Area in the State; or
- (c) a person of Indian origin who has migrated from Pakistan, Burma, Srilanka and East African countries of Kenya, Uganda and the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawai, Zaire and Ethiopia with the intention of permanently settling in India with bonafide domicile at a Scheduled Area in the State:

Provided that a candidate belonging to category (c) shall be a person in whose favour a certificate of eligibility has been issued by the Government in the Department of Home Affairs and Justice after proper verification.

13. Determination of vacancies.- (1) Subject to the provisions of these Rules, the Appointing Authority shall determine on 1st April every year the actual number of vacancies occurring during the year.

(2) Where a post is to be filled in by a single method as prescribed in the Schedules, the vacancies so determined shall be filled in by that method.

(3) Where a post is to be filled in by more than one method as prescribed in the Schedules, the apportionment of vacancies determined under sub-rule (1) above to each such method shall be done maintaining the prescribed proportion for the overall 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.

(4) The Appointing Authority shall also determine the vacancies of earlier year(s), year-wise, 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.

14. Age.- A candidate for direct recruitment to the post(s) in the service must have attained the age of 18 years and must not have attained the age of 35 years or the age as mentioned in remarks column of Schedule -I, Schedule -II, Schedule-III and Schedule-IV and/or any other schedule against any post, on the 1st day of January next following the last date fixed for receipt of applications:

Provided that-

- (i) the upper age limit mentioned above shall be relaxed by:-
- (a) 5 years in the case of male candidates belonging to the Scheduled Castes and Scheduled Tribes;
- (b) 5 years in the case of woman candidates belonging to General category;

- (c) 10 years the in case of woman candidates belonging to the Scheduled Castes and Scheduled Tribes;
- (ii) the upper age limit mentioned above shall not apply in the case of an ex-prisoner who had served under the Government on a substantive basis on any post before conviction and was eligible for appointment under these rules.
- (iii) in the case of other ex-prisoners the upper age limit mentioned above shall be relaxed by a period equal to the term of imprisonment served by him/her provided he/she was not overage before his conviction and was eligible for appointment under these Rules.
- (iv) the upper age limit mentioned above shall be relaxed by a period equal to the service rendered in the N.C.C. in the case of Cadet instructors and if the resultant age does not exceed the prescribed minimum age limit by more than three years, they shall be deemed to be within the prescribed age limit.
- (v) the upper age limit for persons serving in connection with the affairs of the State, Panchayat Samities and Zila Parishads and in the State Public Sector Undertaking/Corporations in substantive capacity shall be 40 years.
- (vi) there shall be no upper age limit in the case of the widows and divorced women.

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

- (vii) the persons appointed temporarily to a post in the service shall be deemed to be within the age limit had they been within the age limit when they were initially appointed even though they have crossed the age limit when they appear finally before the Commission/Appointing Authority and shall be allowed up to two chances had they been eligible as such at the time of their initial appointment.
- (viii) The upper age limit mentioned above shall be 50 years in the case of reservists namely the defence service personnel who were transferred to the Reserve.
- (ix) the Released Emergency Commissioned Officers and Sort Services 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.

- (x) if a candidate would have been entitled in respect of his/her age for direct recruitment in any year in which no such recruitment was held, he/she shall be deemed to be eligible in the next following recruitment, if he/she is not overage by more than 3 years.

15. Academic and Technical Qualifications and Experience.- A candidate for direct recruitment to the post(s) specified in Schedule -I, Schedule -II, Schedule-III and Schedule-IV and/or any other schedule, as the case may be, shall possess,-

- (i) the qualifications and experience as prescribed in relevant column(s) of Schedule-I, Schedule-II, Schedule-III and Schedule-IV and /or any other Schedule appended to any of these service rules, as the case may be
- (ii) working knowledge of Hindi written in Devnagari script and knowledge of Rajasthani Culture:

Provided that the person who has appeared or is appearing in the final year examination of the course which is the requisite educational qualification for the post as mentioned in the Rules or Schedules for direct recruitment, shall be eligible to apply for the post but he/she shall have to submit the proof of having acquired the requisite educational qualification to the appropriate selection agency:-

- (i) before appearing in the main examination, where selection is made through two stages of written examination and interview;
- (ii) before appearing in interview where selection is made through written examination and interview; and
- (iii) before appearing in the written examination or interview where selection is made through only written examination or only interview, as the case may be.

16. Character.- The character of a candidate for direct recruitment to the Service must be such as will qualify him/her for employment in the Service. He/she must produce a certificate of good character from the Principal/Academic Officer of the University or College in which he/she 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/her College or University and not related to him/her.

Note: (1) A conviction by a Court of Law need not of itself involve the refusal of 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 or violence or with a movement which has as its object the overthrow by violent means of Government as

by Law established, the mere conviction need not be regarded as disqualification.

(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 the previous conviction for the purpose of employment in the Service. Those who are convicted of offences not involving moral turpitude 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.

(3) Those convicted of offences involving moral turpitude shall be required to produce a certificate from the Superintendent, 'After Care Home' or if there is no such Home in a particular district, from the Superintendent of Police of that district 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 prison and by their subsequent good conduct in an 'After Care Home'.

17. **Physical Fitness.**- A candidate for direct recruitment to the Service must be in good mental and bodily health and free from any mental and physical defect likely to interfere with the efficient performance of his/her duties as a member of the Service and if selected, must produce a certificate to this 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 a candidate who is already serving in connection with the affairs of the State, if he/she has already been medically examined for the previous appointment and the essential standards of medical examination of the two posts held by him/her are held to be comparable for efficient performance of duties of the new post(s) and his/her age has not reduced his/her efficiency for the purpose.

18. **Employment of irregular or improper means.**- A candidate who is or has been declared by the Commission/Appointing Authority/Committee referred to in these rules 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 may, in addition to rendering himself/herself 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/Committee/Appointing Authority for selection of candidates; and
- (b) by the Government from employment under the Government.

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

PART - IV PROCEDURE FOR DIRECT RECRUITMENT

20. **Inviting of Applications.**- Applications for direct recruitment to posts in the service, shall be invited by the Commission or by the Appointing Authority or any other Authority to whom powers in this behalf may be delegated by the government by special or general order on such conditions as it may deemed fit, as the case may be, by advertising the vacancies to be filled in, in the official Gazette or in such other manner as may be deemed fit. The advertisement shall contain a clause that a candidate who accepts the assignment on the post being offered to him/her shall be paid monthly fixed remuneration at the rate fixed by the Government, from time to time, during the period of probation and the scale of pay of the post as shown else-where in the advertisement shall be allowed only from the date of successful completion of the period of probation mentioned in these rules. The advertisement shall also contain details about the number of vacancies, category wise, and the horizontal reservations e.g. vacancies for the persons with disabilities, Ex-servicemen, Sportspersons etc. as provided in the rules regulating these reservations:

Provided that while selecting candidate(s) 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.

21. **Frequency of direct recruitment.**- Direct recruitment to the posts specified in Schedule -I, Schedule -II, Schedule-III and Schedule-IV and/or any other schedule, as the case may be, shall be held at least once a year unless the Government decides that a direct recruitment for any of these posts shall not be held in any particular year.

22. **Form of Application.**- The application shall be made in the form approved by the Commission or the Appointing Authority, as the case may 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 may be fixed by them/it.

23. **Application Fee.**- A candidate for direct recruitment to a post in the Service must pay to the Commission or the Appointing Authority, as the case may be, such fees as are fixed by them/it, from time to time, in such manner as may be indicated by them/it.

24. **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 or competitive examination or both, as the case may be:

Provided that the decision of the Commission or the Appointing Authority, as the case may be, regarding the eligibility or otherwise of a candidate shall be final.

25. Recommendations.- (1) The Commission/Appointing Authority or any other officer to whom powers in this behalf may be delegated by the Government by special or general order on such conditions as it may deem fit, as the case may be, shall prepare a list of the candidates whom they/it consider suitable for appointment to the post(s) concerned and arrange in the order of merit. The Commission/the officer so empowered shall forward such list to the Appointing Authority.

(2) The Commission/Appointing Authority/the officer so empowered, as the case may be, may to the extent of 50% of the advertised vacancies, keep names of suitable candidates, category wise, on the reserve list. The Commission/the officer so empowered, on requisition, recommend 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 them/it to the Appointing Authority. The reserve list is for use only to fill up a vacancy which has not been occupied by an appointee on the post being offered to him/her and not for a newly created vacancy.

26. Disqualification for appointment.- (1) No candidate who has more than one spouse living shall be eligible for appointment to the Service unless the Government after being satisfied that there are special grounds permissible under the Personal Law for doing so, exempt any candidate from operation of this rule.

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

(3) No married candidate shall be eligible for appointment to the Service if he/she had, at the time of marriage or at any time there-after, accepted any dowry.

Explanation: For the purpose of this rule 'Dowry' has the same meaning as in the Dowry Prohibition Act, 1961 (Central Act No.28 of 1961).

(4) No candidate shall be eligible for appointment to the service who has more than two children on or after 1.6.2002:

Provided that-

- (i) the candidate having more than two children shall not be deemed to be disqualified for appointment so long as the number of children he/she had on 1st June, 2002, does not increase.

- (ii) where a candidate has only one child from earlier delivery but more than one child are born out of a single subsequent delivery, the children so born shall be deemed to be one entity while counting the total number of children.
- (iii) while counting the total number of children of a candidate, the child born from earlier delivery and having disability shall not be counted.
- (iv) this sub-rule shall not be applicable to the appointment of a widow under the provisions of the Rajasthan Compassionate Appointment of Dependents of Deceased Government Servants Rules, 1996.

27. Selection by the Appointing Authority.- Subject to the provisions of rule 8, 9, 10 and 11, the Appointing Authority shall select candidates in the order of merit in the list prepared under rule 25:

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

PART - V

PROCEDURE FOR RECRUITMENT BY PROMOTION

28. Constitution of the Departmental Promotion Committee.- Constitution of the Committee shall be as under:-

- (A) For the post(s) falling within the purview of the Commission:
- | | | |
|----|---|-------------------|
| 1. | Chairman of the Commission or a member thereof nominated by him. | Chairman. |
| 2. | Secretary to Government in the Administrative Department or his nominee not below the rank of Deputy Secretary to Government. | Member |
| 3. | Secretary to Government in the Department of Personnel or his nominee not below the rank of Deputy Secretary to Government. | Member. |
| 4. | Head of the Department concerned | Member Secretary. |
- (B) For the post(s) out side the purview of the Commission and other than posts in purview of the Committee C:

- | | | |
|----|--|-------------------|
| 1. | Head of the Department concerned | Chairman |
| 2. | One officer nominated by the Head of the Department. | Member |
| 3. | In charge of establishment at the Head quarters.. | Member Secretary. |

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.

Note: In respect of the Ministerial Service posts, the committee shall be as constituted by the Government in the Rajasthan Subordinate Offices Ministerial Service Rules, 1999.

- (C) Selections for the post(s) PB.1 or any other post created by the Government from time to time in the purview of this Committee, as amended from time to time, shall be made by a selection Committee consisting of the following:-
- (1) Head of the Department or his representative (not below the rank of Regional Level Officer)
 - (2) District Collector or his representative.
 - (3) District Level Officer of the Department.

Explanation: 'District Level Officer' means the officer declared as such by the District Collector or the Appointing Authority concerned and 'Regional Level Officer' means the officer declared as such by the Appointing Authority concerned.

The Committee shall prepare a list of the candidates whom it considers suitable for appointment to the post concerned arranged in the order of merit, giving precedence to the candidate(s) belonging to the place of vacancy taking the entire Scheduled Area as a unit in terms of distance, and forward the same to the Appointing Authority concerned.

29. Criteria, Eligibility and Procedure for Promotion.- (1) As soon as the Appointing Authority determines the number of vacancies under rule 13 of these rules and decides that a certain number of posts is required to be filled in by promotion, it shall subject to the provisions of sub-rule (6), 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 to the class of posts concerned.

(2) The persons enumerated in relevant column(s) of Schedule -I, Schedule -II, Schedule-III and Schedule-IV and/or any other schedule, as the case may be, shall be eligible for promotion to post(s) specified against them in column No. 2 thereof to the extent ratio indicated in the relevant column for promotion subject to their possessing qualification and experience, on the first day of the month of April of the year of selection, as specified in the relevant column.

(3) No person shall be considered for first promotion in the Service unless he/she is regularly selected on the post from which promotion is to be made in accordance with one of the methods of recruitment prescribed under the provisions of these Rules.

Explanation: In case direct recruitment to the post(s) 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) No person shall be considered for promotion for 5 recruitment years from the date on which his/her promotion becomes due, if he/she has more than two children on or after 1st June, 2002:

Provided that-

- (i) the person having more than two children shall not be deemed to be disqualified for promotion so long as the number of children he/she had on 1st June, 2002, does not increase.
- (ii) where a person has only one child from the earlier delivery but more than one child are born out of a single subsequent delivery, the children so born shall be deemed to be one entity while counting the total number of children.
- (iii) while counting the total number of children of a candidate, the child born from earlier delivery and having disability shall not be counted.

(5) Selection for promotion on the post(s) included in the service shall be made on the basis of seniority-cum-merit.

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

(i) Number of vacancies.
(a) for one vacancy

Number of eligible persons to be considered
five eligible persons

- (b) for two vacancies eight eligible persons
- (c) for three vacancies ten eligible persons
- (d) for four or more vacancies eligible persons equal to 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 seven 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 any post in the service:-
 (a) if promotion is from more than one categories of posts 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.

(b) if promotion is from more than one 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 seniority cum 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 and so forth. The zone of consideration for eligibility in this case shall be limited to five senior most eligible persons in all.

(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 post(s) concerned under these rules and shall prepare a list containing names of the persons found suitable on the basis of seniority-cum-merit as per the criteria for promotion laid down in these rules equal to the number of vacancies determined under these rules. The list so prepared on the basis of seniority-cum-merit shall be arranged in the order of seniority of the category of post(s) from which selection is made.

(9) The Committee may also prepare a list on the basis of seniority-cum-merit as per the criteria for promotion laid down in these rules containing names of persons not exceeding the number of persons selected in the list prepared under sub-rule (8) above to fill temporary or permanent vacancies which may occur subsequently. The list so prepared on the basis of seniority-cum-merit shall be arranged in the order of seniority in the category of post from which selection is made. Such a list shall be reviewed and revised by the Committee that meets in the subsequent year and that such list shall remain in force till the end of the last day of the year for which the meeting of the Committee is held.

(10) Lists prepared under sub-rule (8) and (9) shall be sent to the Appointing Authority together with Annual Performance Appraisal Reports/Annual Confidential Reports and other service records of all the candidates included in the lists as also of those not selected, if any.

(11) If in any subsequent year, after promulgation of these rules, vacancies relating to any earlier year are determined under these rules which were required to be filled in by promotion, the 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 Committee is held and such promotion 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/she has not actually performed the duties of the post to which he/she 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/her promotion but no arrears of pay shall be allowed to him/her.

(12) The Government or the Appointing Authority may order for the review of the proceedings of the Committee 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 Committee or for any other sufficient reasons e.g. change in seniority, wrong determination of vacancies, judgment/direction of any Court or Tribunal, or where adverse entries in the Performance Reports of an individual are expunged or toned down or a punishment inflicted on him/her 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 Committee.

(13) 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/Annual Performance Appraisal Reports of all the persons whose names have been considered by the Committee.

(14) 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 lists. In case the Commission considers 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 modification 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.

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

(16) 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 proceedings 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.

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

30. Restriction of promotion of persons foregoing promotions.- In case a person, on his/her appointment by promotion to the next higher post either on the basis of urgent temporary appointment or on regular basis on the recommendation of the Committee, foregoes such an appointment through his/her written request, and if the concerned Appointing Authority accepts his/her request, the person concerned shall be debarred from consideration for promotion (both on the basis of urgent temporary appointment or on regular basis) for subsequent two recruitment years for which the Committee is held and the name of such a person who foregoes promotion shall not be included in the seniority-cum-eligibility list to be placed before the Committee for subsequent two recruitment years.

PART- VI **APPOINTMENT, PROBATION AND CONFIRMATION**

31. Appointment to the service.- Appointment to post(s) in the Service by direct recruitment or by promotion, as the case may be, shall be made by the Appointing Authority on occurrence of substantive vacancies from the candidates selected under rule 25 in order of merit and by promotion from the persons selected under rule 29 of these rules. The persons so appointed shall be transferable from one place to the other within the Scheduled Areas irrespective of the place of appointment taking the entire Scheduled Area as a Unit i.e. the entire Scheduled Area shall be the closed cadre. When a person so appointed cannot be transferred out side this closed cadre in any capacity which also includes deputation & reverse deputation.