

Rajasthan Excise (Preventive Officers) Service (Amendment) Rules, 2017

RAJASTHAN

India

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Rule

RAJASTHAN-EXCISE-PREVENTIVE-OFFICERS-SERVICE-AMENDMENT of 2017

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Rajasthan Excise (Preventive Officers) Service (Amendment) Rules, 2017 Published vide Notification No. F.1(3) DOP/A-2/95, dated 27.1.2017-Rajasthan Gazette Extraordinary Part 4(C)(1), dated 8.2.2017 (G.S.R. 112) No. F.1(3) DOP/A-II/95, dated 27.1.2017-Rajasthan Gazette Extraordinary Part 4(C)(1), dated 8.2.2017 (G.S.R. 112). - In exercise of the powers conferred by the proviso to Articles 309 of the Constitution of India, the Governor of Rajasthan hereby makes the following rules further to amend the Rajasthan Excise (Preventive Officers) Service Rules, 1967, namely:-

1. Short title and commencement.

(1) These rules may be called the Rajasthan Excise (Preventive Officers) Service (Amendment) Rules, 2017. (2) They shall come into force with immediate effect.

2. Amendment of rule 6.

- The existing sub-rule (1) of rule 6 of the Rajasthan Excise (Preventive Officers) Service Rules, 1967, hereinafter referred to as the said rules shall be substituted by the following, namely:- "(1) Recruitment to the service after the commencement of the Rajasthan Excise Service (Preventive Officers) (Amendment) Rules, 2016 shall be made by the following methods in the proportion indicated in column 3 of the schedule-I, - (a) by direct recruitment in accordance with procedure laid down in Part-IVA of these rules; and (b) by promotion in accordance with procedure laid down in Part-V of these rules."

3. Insertion of new rules 7A and 7B.

- After the existing rule 7 and before the existing rule 8, the following new 7A and 7B rules shall be inserted, namely:-

7A. Reservation of vacancies for Backward classes, Special Backward Classes and Economically Backward Classes. - Reservation of vacancies for Backward Classes, Special Backward Classes and Economically Backward Classes shall be in accordance with the provision of law in force at the time of direct recruitment. In the event of non-availability of eligible and suitable candidates amongst Backward Classes, Special Backward Classes and Economically Backward Classes in a particular year, the vacancies so reserved for them shall be filled in accordance with the normal procedure.

7B. Reservation of vacancies for women. - Reservation of vacancies for women candidates shall be 30% category wise in the direct recruitment, out of which one third shall be for widows and divorced women candidates in the ratio of 80:20. In the event of non availability of eligible and suitable candidates, either in widow or in divorcee. in a particular year, the vacancies may first be filled by interchange, i.e. vacancies reserved for widows to the divorcees or vice versa. In the event of non availability of sufficient widow and divorcee candidates, the unfilled vacancies, shall be filled by other women of the same category and in the event of non availability of eligible and suitable women candidates. the vacancies so reserved for them shall be filled up by male candidates of the category for which vacancy is reserved. The vacancy so reserved for women candidates shall not be carried forward to the subsequent year. The reservation for women including widows and divorcee women shall be treated as horizontal reservation, within the category. i.e. even the women selected in the general merit of the category shall first be adjusted against the women quota.

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."

4. Insertion of new Part-IVA.

- After the existing Part-IV and before the existing Part-V of the said rules, the following new part-IVA shall be inserted, namely:-Part-IVA Procedure for Direct Recruitment

12A. Inviting of Application. - Applications for direct recruitment to post in the service, shall be invited by the Commission or 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. The Advertisement shall contain a clause that candidate who accepts the assignment on the initial 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 pay band and grade 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:

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

12B. Frequency of direct recruitment. - Direct recruitment to the posts specified in Schedule-I, as the case may be, shall be held at least once in a year unless the Government decides that a direct recruitment for any of the posts shall not be held in any particular year.

12C. 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 Appointing Authority on payment of such fee, if any, as the Commission or the Appointing Authority may, from time to time, fix.

12D. Application Fee. - A candidate for direct recruitment to a post in the service shall 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.

12E. 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 are seem to them/it desirable, to appear before them/it for interview or Competitive examination or both, as the case may be:

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

12F. Recommendations. - (1) 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(s) concerned, arrange their names in the order of merit and forward the same to the Appointing Authority:

Provided that the Commission or the Appointing Authority, as the case may be, to the extent of fifty percent of the advertised vacancies, keep names of suitable candidates in the reserved lists, category wise. Names of such candidates may, on requisition, be recommended in the order of merit to the Government or the Appointing Authority, as the case may be, within six months from the date on which the original list is forwarded by the Commission to the Government or the Appointing Authority, as the case may be.

12G. 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 a 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 thereafter, 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 01-06-2002: 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 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) the provisions of this sub-rule shall not be applicable to the appointment of a widow to be made under the provisions of the Rajasthan Compassionate Appointment of Dependents of Deceased Government Servants Rules, 1996. (iv) while counting the total number of children of a candidate, the child born from earlier delivery and having disability shall not be counted. (v) any candidate who preformed remarriage which is not against any law and before such remarriage he is not disqualified for appointment under this sub- rule, he shall not be disqualified if any child is born out of single delivery from such remarriage.

12H. Selection by the Appointing Authority. Subject to the provisions of rule 7, 7A and 7B, the Commission or the Appointing Authority, as the case may be, shall select candidates in the order of merit in the list prepared under rule 12F:

Provided that inclusion of candidate's name in the list confers no right to appointment unless the Appointment 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.

5. Amendment of the Schedule-I.

- In Schedule-I appended to the said rules, the existing serial number 4 and entries thereto under the head "Junior posts" shall be substituted by the following, namely:-

Assistant Excise 4 Officer (Excise Preventive Force)	25% by combined competitive examination in accordance with the provisions laid down in the Rajasthan State and Subordinate Service (Direct Recruitment by Combined Competitive Examination) Rules, 1999; 75% by Promotion.	As mentioned in the Rajasthan State and Subordinate service (Direct Recruitment by Combined Competitive Examination) Rules, 1999;	Patrolling Officer Grade-1 (Excise Preventive Officer)	5 years' experience on the post mentioned in column number 5.	The physical standards shall be as per the Rajasthan Police Service Rules, 1954 applicable for the post of Dy. S.P.
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