

# **The Rajasthan Subordinate Co-Operative Service (Class II) Rules, 1955**

RAJASTHAN

India

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### **Rule**

### **THE-RAJASTHAN-SUBORDINATE-CO-OPERATIVE-SERVICE-CLASS-II-1955**

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The Rajasthan Subordinate Co-Operative Service (Class II) Rules, 1955Published vide Notification No. F. 10(2) Appmts.(A)/55, dated 14-9-1955, published in Rajasthan Rajpatra, Part 4-C, dated the 18th February, 1956In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, His Highness the Rajpramukh of Rajasthan makes the following rules regulating recruitment to posts in, and the conditions of service of persons appointed to the Rajasthan Subordinate Co-operative service (Class II):-

## **Part I – General**

### **1. Short title and commencement.**

- These Rules may be called the Rajasthan Subordinate Co-operative Service (Class II) Rules, 1955 and shall come into force at once.

### **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- All existing rules and orders in relation to matters covered by these Rules are hereby superseded but any action taken by or in pursuance of such existing rules and orders shall be deemed to have been taken under these Rules.

### 3. Status of the Service.

- The Rajasthan Subordinate Co-operative Service (Class II) is a Subordinate Service.

### 4.

In these Rules, unless there is anything repugnant in the subject or context :-(a)"Commission" means the Rajasthan Public Service Commission;(aa)"Equivalent post" means a post involving duties of a similar nature to that of a post in the Service and carrying identical time scale of pay;(b)"Government and State" means respectively the Government of Rajasthan and the State of Rajasthan;(c)"Member of the Service" means a person appointed substantively to a post in the Service under the provisions of these Rules or the rules or orders superseded by rule 2;(d)"Registrar" means the Registrar, Co-operative Societies, Rajasthan;(e)"Schedule" means a Schedule to these Rules; and(f)"Service" means the Rajasthan Subordinate Co-operative Service (Class II).(g)"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 provisions of any Rules promulgated under proviso to Article 309 of the Constitution of India, except urgent temporary appointment.(h)[ "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. [Substituted by No. F. 6 (2) DOP/A-II/71, 29-8-1982.]Notes.- Absence during Service e.g. training, leave and deputation etc. which are treated as "duty" under the Rajasthan Service Rules, 1951 shall also be counted as service for computing experience or service required for promotion.](i)[ "Year" means financial year.] [Added by No. F. 7(2)DOP/A-II/81, 21-12-1981.[1-4-1981]]

### 5. Interpretation.

- Unless the context otherwise requires, the Rajasthan General Clauses Act, (Rajasthan Act VIII of 1955) shall apply as it applies for the interpretation of a Rajasthan Act.

## Part II – Cadre

### 6. Strength of the Service.

- The strength of the Service is as specified below: -

Designation	Number
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Assistant Inspectors 130

Provided that the Registrar may leave unfilled or Government may hold in abeyance or abolish any vacant post without thereby entitling any person to compensation or Government may create additional permanent or temporary post in the Service from time to time, as may be found necessary.

## **Part III – Recruitment**

### **7. Source of recruitment.**

- Recruitment to the Service shall be made by a competitive examination or by transfer of persons holding substantively an equivalent post when such a post is abolished.(1)that till the 1st day of April, 1959 (vide notification of even number dated 13-5-59) Government may with the concurrence of the Public Service Commission dispense with the requirement of the competitive examination and request the Public Service Commission to select candidates by means of interview only;(2)that candidates recruited in accordance with proviso (i) shall be deemed to have been appointed by direct recruitment for purposes of all other rules.

### **7A. Recruitment in the year 1961.**

(1)Notwithstanding anything contained in rule 7 recruitment to the Service during the year 1961 shall be made by selection by a Committee for each district (hereinafter called the Committee) which will consist of the following:-

- |  |                 |
|--|-----------------|
| (i) Collector                          | Chairman        |
| (ii) The Pramukh of the Zila Parishad  | Member          |
| (iii) The Asstt. Registrar of District | Member Convenor |

(2)The Registrar shall arrange to issue a short notice advertisement in the newspapers having circulation in the locality inviting applications for selection from the candidates possessing the qualifications and fulfilling other conditions regarding age etc. as laid down in these Rules.(3)The Committee shall interview all the candidates who have applied for appointment to the Service and who are eligible under the rules and award marks to each candidate.(4)The Committee shall then prepare a list of the candidates selected by it in the order of merit as disclosed by the marks obtained by them at the interview. If two or more of such candidates obtain equal marks in the interview, the Committee shall arrange them in the order of merit on the basis of their general suitability for the Service.(5)The list so prepared by the Committee shall be sent to the Registrar, Co-operative Societies alongwith the applications.(6)The Registrar shall, subject to the provisions of rule 8 and the number of vacancies allotted to each district, appoint to the Service candidates who stand highest in order of merit in the list prepared by the Committee, provided that he is satisfied after such enquiry as may be considered necessary, that such candidates are suitable in all respects for appointment to the Service(7)The Registrar shall then prepare a consolidated list of seniority of all the candidates selected for the Service in accordance with the marks obtained by them.(8)The provisions of other rules shall so far as may be, apply to the members of the Service recruited under

this rule as they apply to the members of the Service recruited by direct recruitment.

## **7B.**

(1)Notwithstanding anything contained in rule 7 regarding method of recruitment/source of recruitment, 12.5% of the posts to be filled in by direct recruitment to the post Assistant Inspector Co-operative shall be reserved for being filled in from amongst the ministerial staff holding a post in the cadre substantively of the department concerned, subject to their being found otherwise eligible for such recruitment under the relevant rules.(2)The said reservation shall be carried forward only to the next succeeding year.

## **7C. [ [Rule 7C shall be deemed to have come into force with effect from 29-10-1963.]**

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.]

## **7D.**

Notwithstanding anything contained in the rule specified in Column 3, a person holding substantively a post of (i) Village Level Worker, (ii) Lady Village Level Worker and (iii) Teacher, of Primary School under the Rajasthan Panchayat Samiti and Zila Parishad Service shall be eligible for promotion to posts of the next higher category, as may be determined by the Appointing Authority in the Service which are not in the purview of the Rajasthan Public Service Commission, provided he fulfills the conditions laid down in these Rules for appointment by promotion to these posts. The Service of the persons, so entitled for promotion, for the period of their holding such posts in the Rajasthan Panchayat Samiti and Zila Parishad service shall be counted towards seniority for the purpose of promotion in the Service in accordance with the provisions of rule mentioned in proviso (iii) to rule 27.

## **7E. [ [Added by No. F. 2(18)DOP/A-II/81, 7-8-1981.]**

(a)Notwithstanding anything contained in rule 7, the persons who were appointed to the posts of Assistant Co-operative Inspectors in an ad hoc /officiating/temporary basis and have held such posts continuously for a period of at least six months on 1st April, 1974, shall be screened by a Committee consisting of the Registrar, the Deputy Secretary to the Government in the Co- operative Department and the Deputy Registrar (Administration) for adjudging their suitability for the posts held by them on 1st April, 1974 and be appointed to the said posts in the Service if they possess the requisite qualifications for the posts prescribed under the Rules either for direct recruitment or for promotion or the prescribed qualifications on the basis of which they were appointed on an ad hoc

/officiating/ temporary capacity.(b)The Committee appointed under clause (a) above for adjudging suitability by screening either as an exemption of general methods of recruitment or as initial constitution of Service, may ex-gratia recommend, if any of the employees with more than three years' service is not adjudged suitable and if thereafter has no right to be appointed on a lower post, for such lower post being offered to him by absorption and thereupon such an employee shall be treated as surplus employee under the provisions of the Rajasthan Civil Services (Absorption of Surplus Personnel) Rules, 1969 and such employee may be absorbed on the lower post in the Co-operative Department on the recommendations of the Committee subject to such conditions as may be laid down by it.]

## **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 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.] [Substituted by No. F. 7(4) DOP/A-II/73, 29.1.1981.](3)In filling the vacancies so reserved the eligible candidates who are members of the Scheduled Castes and the Scheduled Tribes shall be considered for appointment in the order in which their names appear in the list prepared for Direct Recruitment 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 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 of the vacancies which remain so unfilled shall be carried forward to the subsequent three recruitment years in total and thereafter 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. [Added by No. F. 7(2)DOP/A-II/93, 24-5-1994.[28-9-1993]]**

- Reservation of vacancies for Other Backward Classes shall be in accordance with the order of the Government 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. [Substituted by No. F. 7(2)DOP/A-II/81, 21-12-1981.[1-4-1981]]**

(1)(a)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 financial year.(b)Where a post is to be filled in by a single method as prescribed in the rules 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 rules or Schedule, the apportionment of vacancies determined under clause (a) above, to each such method shall be done maintaining the prescribed promotion 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.(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), 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 may be admitted to an examination or 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.

**10A. [Condition of eligibility of persons migrated from other Countries to India] [Inserted by No. F. 2(4)DOP/A-II/79, 22.11.1984.].**

- 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 [33 years] [Substituted by No. F. 7(2)DOP/A-II/84, 20-3-1990.[25-1-1990]] on the first day of January next following the date of commencement of the examination: Provided :- (i) that in the case of a person employed in connection with the affairs of the State of Rajasthan in a substantive capacity or in temporary capacity continuously for two years or over, the upper age limit shall be 25 years: and (ii) that in all of the above cases, the upper age limit for a candidate of a Scheduled Caste or of a Scheduled Tribe shall be deemed to have been raised further by 5 years. (iii) that the upper age limit for Jagirdars including Jagirdars' sons who did not have any sub-Jagir for their subsistence shall be 40 years. Note.- This relaxation will remain in force for a period ending 1st January, 1964. (iv) that the upper age limit for the political sufferers shall be 40 years till the 31st December, 1964. Explanation.- The expression "Political sufferer" for the purposes of this rule shall have the meaning assigned to it under clause (iii) of rule 2 of the Rajasthan Political Sufferer Aid Rules, 1959 published in Part IV (C) of Rajasthan Gazette, dated 18, June, 1959. (v) that the persons appointed temporary 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 and shall be allowed upto two chances had they been eligible as such at the time of their initial appointment. (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 Instructors 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) Provided that the Upper age-limit in the case of Ministerial and Class IV Employees of the Department for category of post reserved for them under these Rules shall be 40 years; (viii) that in the case of staff of the State Co-operative Union, retrenched in consequence of the discontinuance of the member Education scheme with effect from 1-4-70 and absorption as a special case in Service, the upper age limit shall be 40 years on the appointment to the Service. (ix) that for 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 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. (x) 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. (xi) that there shall be no age-limit of persons repatriated from East African Countries of Kenya, Tanganyika, Uganda and Zanzibar. (xii) 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 through the Commission by interview. This relaxation shall not apply to urgent temporary appointments. (xiii) that 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 his

conviction and was eligible for appointment under the Rules;(xiv)that in the case of other ex-prisoner the upper age-limit mentioned above shall be relaxed by a period equal to the term of imprisonment served by him provided he was not overage before his conviction and was eligible for appointment under the Rules.(xv)that the Released Emergency Commissioned Officers and Short 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.(xvi)that there shall be no age-limit in case of persons repatriated from Pakistan during the 1971 Indo-Pak war.(xvii)[ that there shall be no age-limit in the case of widows and divorcee women.] [Added by No. F. 7(2)DOP/A-II/84, 18.12.1987.]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 qualifications.

- A candidate for direct recruitment to the Service must possess :-(i) a High School Examination Certificate of the Rajasthan University or a Certificate of any other University or Board recognised as equivalent by the Commission for the purpose (or Hindi or Sanskrit qualification recognised by the Commission as equivalent to that of Matriculation), and[(ii) Working knowledge of Hindi Written in Devnagri script and knowledge of Rajasthani Culture.] [Substituted by No. F. 5(1)DOP/A-II/77 Part I 30-1-1984.]Note.- Government have decided to recognise the Diploma in Rural Service awarded by the National Council of Rural Higher education, as equivalent to the first degree of a recognised University for purposes of appointment to Services and posts under the Government for a period of five years only in the first instance, with effect from 2nd June, 1959.

## 13. Character.

- The character of a candidate for direct recruitment must be such as to qualify him for employee in the Service. He must produce a certificate of good character from the Principal Academic Officer of the University, School or College in which he was last educated and two such certificates written not more than six months prior to the date of applications from two responsible persons not connected with his School, 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 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 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 grounds of the previous conviction for purposes of employment in the Service. Those who are convicted of offences not involving moral turpitude shall be deemed to have 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.

#### **14. Physical Fitness.**

- A candidate for direct recruitment to 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 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.

#### **14A. Employment of irregular or improper means.**

- 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 admission to any examination or appearance at any interview held by the Commission/ Appointing Authority for selection of candidates; 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 in to consideration. Any attempt on the part of a candidate to enlist support directly or indirectly for his candidature by other means may disqualify him for recruitment.

### **Part IV – Procedure for Recruitment**

#### **16. Frequency of examinations.**

- A competitive examination for recruitment to the Service shall be held every year unless the Registrar, in consultation with Commission decided not to hold the examination in any particular year.

## **17. Authority for conducting the examination and syllabus.**

(1)The examination shall be conducted by the Commission in accordance with the syllabus prescribed in Schedule II:Provided that the syllabus may be revised by Government from time to time as it may deem fit in consultation with the Commission.(2)Subject to the provision of sub-rule (1) the Commission may, in consultation with Government, hold a combined examination for recruitment to the Service and to any other service or services.

## **18. Inviting of applications.**

(1)On a requisition for recruitment to the Service having been made by the Registrar to the Commission, the Commission shall call for applications for permission to sit at the examination by publishing a notice to that effect in the Rajasthan Gazette or in such other manner as they may deem fit:Provided that while selecting candidates for the vacancies so advertised the Commission may (i) if intimation of additional requirement is sent to the Commission before the selection and (ii) if suitable persons are available, keep on their reserve list more candidates whose number shall not exceed 50% of the advertised vacancies.The names of such candidates may on requisition be recommended in the order of merit to the Appointing Authority within six months from the date on which the original list is forwarded to the Appointing Authority.(2)Subject to the provisions of these Rules, Commission may issue alongwith the notice or in such other manner as they may deem fit, such instructions for the guidance of the candidates as they may deem necessary giving information among others on the following details:-(i)Number of vacancies to be filled indicating the number of vacancies reserved for candidates of Scheduled Castes and Scheduled Tribes;(ii)Date of submission of applications for permission and method of submission;(iii)Qualifications required of candidates and the methods by which these qualifications shall be established;(iv)Date and place of examination;(v)Syllabus of the examination.

## **19. 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 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.

## **20. Admission to the examination.**

(1)No candidate shall be admitted to the examination unless he holds a certificate of admission granted by the Commission. Before granting such certificate the Commission shall satisfy

themselves in each case that the application has been made strictly in accordance with the provisions of these Rules: Provided that the Commission may at their discretion allow any bonafide mistake made in the filling of the prescribed form or presentation of the application to be furnished in good time before the commencement of the examination. (2) The decision of the Commission as to the eligibility or otherwise of a candidate for admission to the examination shall be final.

## 21. Examination fee.

- A candidate for direct recruitment to a post in the Service must pay to the Commission such fees as are fixed by them. Annexure

	For competitive examination	For Interviews
1. State Services	50.00	Rs. 20.00
2. Subordinate Service carrying pay scales not lower than Rs. 110-225.	30.00	Rs. 10.00
3. Ministerial Services carrying pay scale lower than Rs. 110-225	20.00	Rs. 5.00

In the case of candidates belonging to Scheduled Castes/ Scheduled Tribes, the fee shall be one-fourth in all cases. Form of application shall be obtainable from the Commission free of charge: 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. (2) In case the examination is being held under rule 18(2) a candidate wishing to be considered for any service or services besides the service shall pay to the Commission such additional fee or fees, as the Commission may require, after consultation with Government, instead of paying the full examination fee, in respect of each such service separately. (3) No claim for the refund of the examination fee shall be entertained nor the fee shall be held in reserve for any other examination by the Commission. In the latter case, a deduction of Rs. 3/- shall be made before refund is made.

## 22. Personality and viva voce examination.

- After the marks obtained by the candidate in the written test have been received, the Commission shall call for interview such of them as have obtained an aggregate of 45% or over of the total marks for the written test with a minimum of 33.33% marks in each subject and shall award marks to each candidate, interviewed by them. In interviewing the candidates besides awarding marks in respect of character, personality, address and physique, marks shall also be awarded for the candidates proficiency in Rajasthani dialects. The marks so awarded shall be added to the marks obtained in the written test by each candidate respectively.

## **23. Recommendations of the Commission.**

- The Commission shall prepare a list of the candidates recommended by them for direct recruitment in order of their Proficiency as disposed by their aggregate marks. If two or more of such candidates obtain equal marks in the aggregate, the Commission shall arrange them in order of merit on the basis of their general suitability for the Service. The Commission may award grace marks upto 1 in any one or more of the compulsory papers and upto 3 in the aggregate to enable a candidate to qualify at the examination who might otherwise have not qualified in the said examination: Provided that the Commission shall not recommend any candidate who has failed to obtain a minimum of 50% in the aggregate: Provided that the Commission may to the extent of 50% of the advertised vacancies keep names of suitable candidates on the reserve list. The names of such candidates may, on requisition be recommended in the order of merit to the Government within six months from the date on which the original list is forwarded by the Commission to the Government.

### **23A. Disqualification for appointment.**

(1) No male candidate who has more than one 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 candidate from the operation of this rule. (2) no female candidate who is married to a person having already a wife living shall be eligible 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 has 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).

## **24. Selection by Registrar.**

- Subject to the provision of Rule 8 [and 8A] [Inserted by No. F. 7(2)DOP/A-II/93, 24-5-1994.[28-9-1993]], the Registrar shall select the candidates who stand highest in order of merit in the list prepared by the Commission under rule 23 provided that he is satisfied, after such enquiry as may be considered necessary, that such candidates are suitable in all respects for appointment to the Service.

## **Part V – Appointments, Probation and Confirmation**

### **25. Appointments.**

- Appointment to the Service shall be made by the Registrar, on occurrence of vacancies in the Service, in the manner prescribed in rule 24.

## **26. 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 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 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 of suitable persons, fulfilling the requirements of eligibility for promotion, Government, 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 of the Commission as required under the said Sub-rule.

## **27. Seniority.**

- Seniority in the Service shall be determined in each category of the Service by the year of substantive appointment: Provided:-(i) that the seniority inter se of members of the Service appointed before the commencement of these Rules, shall be such as has already been determined, or may after the commencement of these rules, be determined, amended or modified, by the Registrar in accordance with rules or orders already in force or ad hoc, subject to the directions of Government, if any. (ii) that the seniority inter se of persons appointed to the Service on the result of one and the same examination except those who do not join 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 under rule 23. (iii) that in case of substantive employees of different Services, Cadres or Groups or from Rajasthan Panchayat Samiti and Zila Parishad Service, whose appointment to such posts has been made by different Appointing Authorities and whose transfer to a Cadre or Group in this Service is specifically permissible in accordance with the provisions of these Rules, and he is so transferred and it becomes necessary to determine the integrated seniority of two or more of such employees, who do not belong to the same Service/ Cadre/ Circle or Unit under an Appointing Authority, their integrated seniority on initial appointment shall be determined for promotion or confirmation to a Cadre or Group under these Rules, notwithstanding their year of substantive appointment in the different cadre according to the date of continuous officiation in class or category of post concerned or an equivalent or higher post provided such officiation was not of the

nature of fortituous or ad hoc or urgent temporary appointment and there was no default on the part of the employee to join the appointment when ordered. The above principle shall be applied to such posts as may be specified with the prior approval of Department of Personnel (Rules) and will be subject to the condition that any pre-determined inter se seniority between two or more persons except in cases of default or supersession shall not be disbursed.

## **28. Period of probation.**

(1) All persons appointed to the Service by direct recruitment against a substantive vacancy shall be placed 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 supersession 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. (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 year's 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 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: 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 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 (F. 7(7) DOP/A-II/74, dated 28-12-74) 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 the option on the previous post shall cease.

## **29. 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 holds 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 persons 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 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. (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.

## **30. Confirmation.**

- A probationer shall be confirmed in his appointment at the end of his period of probation if the Registrar is satisfied that his integrity is unquestionable and that he is otherwise fit for confirmation and further that he has also passed a departmental test of proficiency in Hindi.

### **30A.**

Notwithstanding anything contained in rule 30, 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.

## **Part VI – Pay**

### **31. 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.

### **32. 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.

### **33. Criteria for crossing efficiency bar.**

- No member of the Service shall be allowed to cross the efficiency bar unless he has worked satisfactorily and his integrity is unquestionable.

## **Part VII – Other Provisions**

### **34. Regulation of leave, allowances, pension etc.**

- Except as provided in these Rules the pay, allowances, pensions, leave and other conditions of service of the members of the Service shall be regulated by:-(1) The Rajasthan Travelling Allowance Rules, 1971. (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 for the time being in force.



### 35. 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 requirement of experience for recruitment causes undue 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 case of relaxation shall be referred to the Rajasthan Public Service Commission by the [Administrative Department concerned] [Substituted by No. F. 11(2)DOP/A-II/75, 18-8-1982.].

I

(See rule 8) Order regarding Representation of Scheduled Castes and Scheduled Tribes in Public Services (vide order No. F. 25 (42) G.A.(A)/51, dated 19th September, 1951). In accordance with the provisions of Article 335 of the Constitution of India, the Government of Rajasthan have been pleased to direct that:-(1) there shall be a general reservation of 12 1/2% of the vacancies for members of the Scheduled Castes and Tribes in making appointments to the services and posts which are filled by direct recruitment. (2) the same percentage of recruitment may be followed in respect of the members of the Scheduled Castes and Scheduled Tribes till the ultimate percentage of reservation fixed by the Government is reached. (3) In the event of non-availability of a sufficient number of candidates against Scheduled Castes and Scheduled Tribes in a particular year, vacancies need not be kept reserved and should be filled in accordance with the normal procedure, but the deficiency of the previous year may be made good in the subsequent year, if candidates are available. In case candidates are not available in the second year vacancies reserved will be filled by other candidates and the reservation on account of the deficiency shall not be carried forward for more than one year. (4) Minimum qualification prescribed for any post will not be lowered with a view to accommodating any candidate belonging to the Scheduled Castes and Scheduled Tribes. (5) The maximum age limit prescribed for direct recruitment in various services and posts may be extended by 5 years in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes.

II

(See rule 17) Syllabus and Rules for the Competitive Examination.

**1. The competitive examination shall include the following subjects and each subject will carry the number of marks shown against it:-**

Subject	Marks
1.Deleted	75

- 2. General Knowledge 75
- 3. Arithmetic 75
- 4. Viva Voce 75

Note- (1) The paper in each subject shall be of 2 hours' duration. Note- (2) Persons who are not matriculates shall have to appear at a separate qualifying written test in English of Matriculation standard and secure 50% mark thereat. Marks obtained in the test will not be added to the total marks. The standard and scope of the examination in each subject shall be as follows:-

**1. Deleted.**

**2. General knowledge.- A paper will be set to test the General intelligence, power of observation and knowledge of the candidate to the question will ordinarily be so set as to admit of brief answers and may include questions on the Geography of Rajasthan.**

**3. Arithmetic.- The paper will be set within the course prescribed for the High School Examination of the Rajasthan University and will be generally of the same standard. Questions will be so set as to test the speed and accuracy of the candidates in making routine calculations.**

**4. Viva voce.- Consideration will be given to the candidate's personality, address, character and general suitability and suitable questions designed to throw light on these matters may be asked.**

Questions will also be asked to test the proficiency of candidate in Rajasthani dialects. Note (1) Papers in General knowledge and Arithmetic may be answered in Hindi or English. Note (2) The Commission may issue instructions to the examiners to make deductions in the marks assigned to candidates on account of bad handwriting.