

# **Rajasthan Lokayukta Sachivalaya Ministerial Service (Conditions of Service) Rules, 2013**

RAJASTHAN

India

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### **Rule**

### **RAJASTHAN-LOKAYUKTA-SACHIVALAYA-MINISTERIAL-SERVICE-CO of 2013**

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Rajasthan Lokayukta Sachivalaya Ministerial Service (Conditions of Service) Rules, 2013Published vide Notification No. G.S.R. 38, dated 30.7.2013G.S.R. 38. - In exercise of the powers conferred by sub-section (2) of Section 14 read with Section 21 of the Rajasthan Lokayukta and Up-Lokayukta Act, 1973 (Act No. 9 of 1973), the Governor of Rajasthan, in consultation with the Lokayukta, hereby makes the following rules regulating the conditions of service of employees belonging to Ministerial Service of the Lokayukta Sachivalaya, namely: -Part-I General

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

(1)These rules may be called the Rajasthan Lokayukta Sachivalaya Ministerial Service (Conditions of Service) Rules, 2013.(2)They shall come into force from the date of publication in the Official Gazette.

### **2. Definitions.**

- In these rules, unless the context otherwise requires, -(a)"Act" means the Rajasthan Lokayukta and Up-Lokayukta Act, 1973 (Act No. 9 of 1973);(b)"Appointing Authority" means the Lokayukta or an Up-Lokayukta or any officer subordinate to the Lokayukta or an Up-Lokayukta authorised by the Lokayukta under sub-section (1) of Section 14 of the Act to make appointment.(c)"Government" means the Government of Rajasthan;(d)"High Court" means the High of Judicature for Rajasthan;(e)"Lokayukta" means a person appointed as Lokayukta under Section 3 or an Up-Lokayukta performing duties of a Lokayukta under clause (a) of sub-section (2) of Section 5 or a

person nominated to perform the duties of Lokayukta under clause (c) of sub-section (2) of Section 5 of the Act.(f)"member of the service" means a person appointed in a substantive capacity to a post in the service under the provisions of these rules or under any rules or orders superseded by these rules;(g)"Rajasthan Lokayukta Sachivalaya Class IV Service" means the service constituted under the Rajasthan Lokayukta Sachivalaya Ministerial Class IV Service (Recruitment and other Service Conditions) Rules, 2013;(h)"Service" means the Rajasthan Lokayukta Sachivalaya Officers Service;(i)"service" or "experience" whenever 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 the rules applicable to such lower post;Note. - Absence during service e.g. training, leave, 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.(j)"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 completion of the probationary period;Note. - Due selection by any of the 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 made under any law for the time being in force except an urgent temporary appointment; and(k)"State" means the State of Rajasthan.

### **3. Interpretation.**

- Unless the context otherwise requires, the Rajasthan General Clauses Act, 1955 (Act No. 8 of 1955) shall apply for the interpretation of these rules as it applies for interpretation of a Rajasthan Act.Part-II Cadre

### **4. Composition and strength of the service.**

(1)The service shall consist of two groups and nature of posts included in each group of the service shall be as specified below:Group-A : (1) Assistant section Officer, (2) Upper Division Clerk, (3) Lower Division Clerk,Group-B : (1) Additional Private Secretary, (2) Personal Assistant, (3) StenographerGroup-C : Assistant Librarian(2)The Strength of post in each grade shall be such as may be determined by the Government, in consultation with the Lokayukta, from time to time:Provided that the Lokayukta may, by order, direct that -(i)any post be kept unfilled or be held in abeyance, from time to time, without thereby entitling any person to any compensation;(ii)any post in the service be filled by appointing a member of any other service under the Government or the High Court, holding a corresponding post in those services, after consultation with the Government or the Chief Justice of the High Court, as the case may be, or by direct recruitment or promotion, as the case may be, in accordance with these rules.(iii)a post in the service be filled by a retired person of the appropriate grade.

## **5. Constitution of Service.**

- The service shall consist of -(a)all persons holding substantively the posts specified above on the date of commencement of these rules;Explanation. - A person holding that post of Assistant on the date of commencement of these rules shall be deemed to hold the post of Assistant Section Officer and the person holding the post of Senior Personal Assistant on the date of commencement of these rules shall be deemed to hold the post of Additional Private Secretary.(b)all persons recruited to the service before the commencement of these rules; and(c)all person recruited to the service in accordance with the provisions of these rules.Part-III Recruitment

## **6. Methods of recruitment.**

- Appointment to a post in the service may be made in following manner: -(a)by direct recruitment;(b)by appointing a member of any service under the Government or the High Court on transfer basis; or(c)by appointing a retiree person; or(d)by promotion in accordance with these rules.Part-IV Direct Recruitment

## **7. Appointment by direct recruitment.**

(1)Subject to other provisions of these rules, the following posts shall be filled by direct recruitment, namely: -(a)Lower Division Clerk;(b)Stenographer; and(c)Assistant Librarian:Provided that out of the total posts of Lower Division Clerk, 10% posts shall be filled by promotion from Class IV employee of the Loyayukta Sachivalaya.(2)Eligibility, procedure and other conditions of direct recruitment on the posts of Lower Division Clerk and Stenographer shall be same as provided in the Rajasthan Secretariat Ministerial Service Rules, 1970 and eligibility, procedure and other conditions of direct recruitment on the post of Assistant Librarian shall be same as provided in the Rajasthan Secretariat Librarian (State and Subordinate) Service Rules, 1997.Part-V Appointment by Transfer or of Retired Person

## **8. Appointment by transfer.**

(1)When a post in the service is directed to be filled by appointing a member of any other service, the Appointing Authority shall, in consultation with the appointing authority concerned, make appointment thereto from amongst the employees eligible for the post.(2)An appointment under this rule shall be for a period of one year which may extended from time to time in consultation with the appointing authority concerned.Provided that if the Appointing Authority considers it necessary to do so, he may relive an employee appointed under this rule of his duties at any time without assigning any reasons and the employee shall stand repatriated to his parent cadre with effect from the date on which he is relieved.(3)An employee appointed under this rule shall be entitled to the same pay and dearness allowance as are admissible to him in his parent cadre.(4)An employee appointed under this rule shall also be entitled to such special pay and other allowances and facilities as are admissible to an employee of the Government of equivalent cadre.(5)All other conditions of service of an employee appointed under this rule shall be such as are applicable to him

in his parent cadre except that his disciplinary authority during his tenure under these rules shall be Deputy Secretary to the Lokayukta or such other officer subordinate to the Lokayukta as may be specified by him.

## **9. Appointment of retired person.**

(1)When a post in the service is directed to be filled by a retired person, the Appointing Authority shall select eligible retired person having regard to his service record and such other factors as may be directed by the Lokayukta and make appointment to the post.(2)An appointment under this rule shall be for a period of one year which may be extended from time to time with the approval of the Lokayukta:Provided that no person appointed under this rule shall hold office after the age of 70 years:Provided further that if the Appointing Authority considers it necessary to do so, he may with the prior approval of the Lokayukta terminate the services of an person appointed under this rule at any time without assigning any reasons and such person shall not be entitled to any compensation for termination of his service.(3)An employee appointed under this rule shall be paid last drawn pay minus pension and other allowances and facilities as are admissible to an employee of the Government of equivalent cadre.Explanation. - Where the pay scales have been revised after the retirement of an officer, his last drawn pay shall be the pay which he would have drawn if the prevailing pay scales would have come into force immediately before his retirement.Part-VI Promotion

## **10. Eligibility for promotion.**

(1)Eligibility for promotion on different posts in the service shall be as follows: -(a)for the post of Assistant Section Officer, such of the Upper Division Clerks in the service shall be eligible who have completed five years service on the post and are otherwise fit for promotion.(b)for the post of Upper Division Clerk, such of the Lower Division Clerk in the service shall be eligible who have completed five years service on the post and are otherwise fit for promotion.(c)for the post of Lower Division Clerk, such of the Class IV employees in the Rajasthan Lokayukta Sachivalaya Class IV Service shall be eligible who -(a)have passed Senior Secondary Examination from a Board recognized by the Government or its equivalent examination; and(b)hold -(i)"O" or Higher Level Certificate of National Institute of Electronics and Information Technology (Formerly known as DOEACE); or(ii)Computer Operator and Programming Assistant (COPA)/Data Preparation and Computer Software (DPCS) Certificate awarded under National/State Council of Vocational Training Scheme; or(iii)Diploma in Computer Science/Computer Application from a institution recognized by the Government; or(iv)Diploma in Computer Science and Engineering from a polytechnic institution recognized by the Government; or(v)Certificate in Information Technology (RSCIT) awarded by Vardhman Mahaveer Open University; Kota under control of Rajasthan Knowledge Corporation Limited; and(c)have five years experience on the post of Class IV employees in the Rajasthan Lokayukta Sachivalaya Class IV Service; and(d)are otherwise fit for promotion.(d)for the post of Additional Private Secretary, such of the Personal Assistants in the service shall be eligible who have completed five years service on the post and are otherwise fit for promotion.(e)for the post of Personal Assistant, such of the Stenographers in the service shall be eligible who have completed five years service on the post and are otherwise fit for promotion.(2)A person appointed by transfer

from other service or a retired person appointed in the service shall not be eligible for promotion on any post in the service.(3)The selection committee for the purpose of the selection by promotion under these rules shall consist of the following:(a)Principal Secretary to the Lokayukta - Chairperson(b)Secretary to the Lokayukta - Member(c)Deputy Secretary to the Lokayukta - Member Secretary.Part-VII Miscellaneous

## **11. Application of Rajasthan Secretariat Ministerial Service Rules and other rules, etc.**

- Save as otherwise provided in these rules, the Rajasthan Secretariat Ministerial Service Rules, 1970, and the Rajasthan Secretariat Librarian .(State and Subordinate) Service Rules, 1997, as amended from time to time, and all other rules, orders, circulars etc., issued by the Government from time to time to regulate the services of the corresponding employees of the Rajasthan Secretariat Ministerial Service and the Rajasthan Secretariat Librarian Subordinate Service shall, mutatis mutandis, apply to the member of service.

## **12. Code of conduct.**

- A member of the service shall, in addition to the rules of conduct applicable to him, be bound to follow the code of conduct or other directions, if any, issued by the Lokayukta from time to time and any non compliance of such code of conduct and other directions shall make him liable to disciplinary action.

## **13. Repeal and saving.**

- All rules and orders in relation to the matters covered by these rules and in force immediately before commencement of these rules are hereby repealedProvided that any action taken under the rules or orders so repealed shall be deemed to have been taken under the provisions of these rules.