

The Rajasthan Agricultural Produce Markets (Market Committee Employees) Service Rules, 1975

RAJASTHAN

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Rule

THE-RAJASTHAN-AGRICULTURAL-PRODUCE-MARKETS-MARKET-C of 1975

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The Rajasthan Agricultural Produce Markets (Market Committee Employees) Service Rules, 1975 Published vide Notification No. F. 10(150)/Agriculture 5/68-Group 2, dated 24.12.1975-Rajasthan Gazette, Extraordinary, Part 4-C(1), dated 5.2.1976, at page 854(35)G.S.R. 258(13). - In exercise of the powers conferred by Section 36 of the Rajasthan Agricultural Produce Markets Act, 1961 (Rajasthan Act 38 of 1961) the State Government hereby makes the following rules the same having been previously published as required by sub-Section (4) of the said section, namely:-Chapter - I

1. Short title and commencement.

- These rules may be called "The Rajasthan Agricultural Produce Markets (Market Committee Employees) Service Rules, 1975", and shall effect from the date of publication in the Official Gazette.

2. Extent of application.

- Unless otherwise expressly provided, these rules shall apply to, and be binding on, all employees of the Agricultural Produce Market Committees in Rajasthan, other than the following:- (a) Persons on deputation from the State Government who will be governed by the terms and conditions of deputation; (b) Employees, appointed on contract, work-charged and casual employees; (c) Any class of employees, or any individual employed in connection with the affairs of the said market committee, who may be specifically exempted from the application of these rules.

3. Power to relax Rules.

- Government may relax provisions of these rules to such extent and subject to such conditions, as it may consider necessary, in a just and equitable manner.

4. Power to amend the Rules.

- Government may, by a Gazette Notification published in the Rajasthan Rajpatra, relax, amend or delete any of these rules or frame any new rules as it may think fit from time to time.

5. Interpretation.

- Decision of Government, in so far as interpretation or clarification of these rules is concerned, shall be final and binding on all market committees and their employees.

6. Power to delegate.

- Government, may, by specific or general orders, declare any of its officers as competent authority and delegate to him, subject to any conditions which it may impose any power under these rules. Chapter - II

7. Definitions.

(a) Unless there be something repugnant in the subject or context, the terms defined in this Chapter are used in the rules in the sense herein explained- (1) Age. - (a) For the purpose of these rules, age shall be computed from the date of birth of an employee, who shall be required to produce authentic proof thereof at the time of employment. (b) The following proofs may be accepted as authentic, in order of preference- (i) Date of birth, given to the Secondary School Certificate; (ii) Date of birth, given in the Municipal Birth Certificate; (iii) Date of birth, given in the Horoscope, provided it was prepared soon after the date of birth stated by the employee. (c) If an employee is unable to state his exact date of birth, but can give satisfactory proof of the year of birth or year and the month of birth, the 1st July or the 16th day of the month may be respectively treated as the date of birth. (d) If an employee is unable to state even the year of birth, a certificate from a Medical Jurist, approved by the Director of Medical and Health Services, Rajasthan specifying the approximate year, may be accepted for the purpose of computing age in the manner prescribed in Rule 7(a)(1)(c). (e) When an employee is required to retire on attaining a specified age, the date on which he attains that age is reckoned as nonworking day and he must retire with effect from and including that day. (2) Competent authority. - Competent authority, in relation to the exercise of any power, means the '[Director] or any authority, to whom the power is delegated by or under these rules. (3) Cadre. - Means the strength of a service, or part of a service sanctioned as separate unit. (4) Chairman. - Means the Chairman of the Market Committee concerned. (5) Secretary. - [x x x] [Deleted by Notification No. F. 10(28) Agriculture/Group-II/78, dated 7.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 7.6.1980, p. 85.] (6) Duty. - Means time spent in discharge of service

under the market committee, and includes-(a)Joining time;(b)The [Director] [Substituted by Notification No. F. 10(28) Agriculture/Group-II/78, dated 7.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 7.6.1980, p. 85.] may issue orders declaring that in the following circumstances, or in circumstances similar thereto, an employee may be treated as on duty-(i)time spent in any training or course of study, sponsored by the Board;(ii)the period of compulsory waiting by an employee, returning from leave or after handing over charge of a post, for posting on another post;(iii)reasonably necessary period, spent on journey to and from place of examination; and the period occupied in attending to an obligatory examination or an optional examination at which the employee is permitted to appear by the [Director] [Substituted by Notification No. F. 10(28) Agriculture/Group-II/78, dated 7.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 7.6.1980, p. 85.] on a proposal of the Market Committee.(7)Employee. - Means a person appointed to any service or Post in connection with the affairs to the market committee to work on a monthly rate of pay.(8)Employee in permanent employ. - Means a person employed under the market committee, who holds substantively a permanent post or who holds a lien on a permanent post or would have held a lien on permanent post, had the lien not been suspended.(9)Government. - Means the Government of Rajasthan.(10)Holiday. - Means a day which is prescribed as holiday in these rules.(11)Joining time. - Means the time allowed to an employee in which to join a new post or to travel to or from a station to which he is posted.(12)Leave. - Includes privilege leave, maternity leave, commuted leave, extraordinary leave and half-pay leave.(13)Leave Salary. - Means the amount of salary paid to an employee during leave.(14)Lien. - Means title of an employee to hold a permanent post substantively and the right to resume or return to duty after a period or periods of absence.(15)Month. - Means a calendar month. In calculating a period, expressed in terms of months and days, complete calendar months, should be calculated and the odd number of days added thereto.(16)Officiate. - Means performance of duties of a post by an employee, on which another employee holds a lien. A market committee may appoint an employee to officiate in a vacant post, on which no other employee holds a lien or pending a permanent appointment in that post, with prior approval of the [Director] [Substituted by Notification No. F. 10(28) Agriculture/Group-II/78, dated 7.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 7.6.1980, p. 85]Note. - (i) In case any employee is appointed to the post in addition to his on duties, no special pay is admissible if the post is subordinate to the post he is holding;(ii)In case an employee is appointed to the post in addition to his own duties, if the post is equal or lower post he is holding, he may be allowed special pay not exceeding 10% of his pay if the dual charge is upto 60 days and special pay not exceeding 20% of his pay if the period of dual charges is more than 60 days;(iii)In case an employee is appointed to the post in addition to his own duties, if his post is higher than the post he is holding, if the employee is qualified to hold the higher post or is senior enough for regular appointment to officiate on the higher post, he may be allowed to draw special pay not exceeding 10% of the pay of that post upto 60 days and not exceeding 20% of the pay for more than 60 days;(iv)If the employee is not qualified to hold the higher post, he may be allowed to draw special pay not exceeding 10% of his own pay;(v)Dual arrangement should not be allowed to continue beyond a period of 6 months in any case.(17)(a)Pay. - Means the amount to which an employee is entitled to and is drawn by him monthly in respect of the post held by him substantively or in officiating capacity, and includes-(i)any special pay or personal pay, and(ii)any other emoluments, which may be specially classed as pay by competent authority.(b)Pay scales. - Means pay scales, mentioned in Column Number 6 of the Appendix 'A', attached to these

rules.(18)Permanent post. - Means a post carrying a definite rate of pay sanctioned without limit of time by the [Director] [Substituted by Notification No. F. 10(28) Agriculture/Group-II/78, dated 7.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 7.6.1980, p. 85](19)Personal pay. - Means additional pay granted to an employee-(i)to save him from loss of substantive pay in respect of a permanent post due to revision of pay or reduction in such pay, not being a reduction as a disciplinary measure, or(ii)in exceptional circumstances on other personal considerations.(20)Presumptive pay. - Means the pay of a particular employee, to which he would be entitled if he hold a post substantively, and performed his duties, but does not include special pay unless the employee performs or discharges the work or responsibility or works under such conditions in consideration of which the special pay was sanctioned.(21)Rules. - Means the Rajasthan Agricultural Produce Markets (Market Committee Employees) Service Rules, 1975.(22)Special pay. - Means the pay, in addition to the pay of a post or of an employee granted in consideration of-(a)the specially arduous nature of duties.(b)the specific addition to the work or responsibility.(23)Subsistence grant. - Means an amount, monthly granted to an employee who is not in receipt of pay or leave salary.(24)Substantive pay. - Means the amount other than special or personal pay or emoluments classed as pay under Rule 7(a) (17) to which an employee is entitled to on account of his appointment substantively to a post or cadre under the market committee.(25)Secretary of the Market Committee. - Means the Secretary of the Market Committee concern.(26)Temporary post. - Means a post, created temporarily for a specified period.(27)Time scale of pay. - Means pay which, subject to any condition, prescribed in these rules, rises by periodical increments from a minimum to maximum.Time scales are treated to be identical if minimum and maximum, the period of increment and the rate of increment of the time scales are the same.(28)Transfer. - Means the movement of an employee from one headquarter station, in which he is employed, to another such station to take up the duties of a new post as a result of change in his Headquarters.(29)[Year. - Means the financial year commencing from 1st of April and ending on 31st March.] [Inserted by Notification No. F. 10(28)/Agriculture 2B/78, dated 1.8.1984-Rajasthan Gazette, Extraordinary, Part IV-C, dated 3.8.1984, p. 91, dated 1.8.1984.](b)(i)The words used in these rules denoting masculine gender shall also include the feminine gender;(ii)The words used in these rules denoting singular number shall imply the plural number wherever relevant or vice-versa;(iii)The marginal notes against any rule shall not effect the contents thereof.Chapter - III 8. Age on first appointment.- [(a) A candidate for direct recruitment to any post enumerated in Appendix "A" must have attained the age of 18 years and must not have attained the age of [35 years] [Substituted by Notification No. F. 10(28)/Agriculture 2B/78, dated 1.8.1984-Rajasthan Gazette, Extraordinary, Part IV-C, dated 3.8.1984, p. 91, dated 1.8.1984.] on the first day of January next following the last date fixed for receipt of application:Provided:-(i)[that the upper age limit mentioned above shall be relaxed- [Substituted by Notification No. F. 15(24)/Agriculture/2/85-Part, dated 12.6.2009-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 16.6.2009, p. 23, vide G.S.R. 15, enforced w.e.f. 12.6.2009 = 2009 RSCS/Part II/P. 696/H. 386, dated 12.6.2009.[2.6.2009.]](a)by 5 years in the case of male candidates belonging to the Scheduled Castes and the Scheduled Tribes and Other Backward Classes:(b)by 5 years in the case of woman candidates belonging to the General category;(c)by 10 years in the case of woman candidates belonging to the Scheduled Castes, Scheduled Tribes and Other Backward Classes:](ii)that if a candidate would have been entitled in respect of his age to appear at the examination in any year after the commencement of these rules in which no such examination was held, he shall be deemed

to entitled in respect of his age to appear at the next following examination;(iii)that upper age limit shall be 40 years in case of persons already serving in connection with the affairs of market committee in substantive capacity or in a temporary capacity continuously after having been so appointed prior to their attaining the age of[35 years] [Substituted by Notification No. F. 15(24)/Agriculture/2/85-Part, dated 12.6.2009-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 16.6.2009, p. 23, vide G.S.R. 15, enforced w.e.f. 12.6.2009 = 2009 RSCS/Part II/P. 696/H. 386, dated 12.6.2009.[2.6.2009.].];(iv)that the upper age limit for Ex-Service Personnel and the reservists, namely the Defence Service Personnel transferred to the reserve shall be 50 years;(v)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;(vi)that there shall be no age limit in case of persons repatriated from East African countries of Kenya, Tanganyika, Uganda and Zanzibar;(vii)that the upper age limit mentioned above shall not apply in the case of an ex-prisoner who had served in the Market Committees on a substantive basis on any post before his conviction and was eligible for appointment under the rules;(viii)that in the case of an ex-prisoner other than referred to in clause (vii), 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 over age before his conviction and was eligible for appointment under the rules;(ix)that there shall be no age limit in case of persons repatriated from Pakistan during the 1971 Indo-Pak War;](x)[that there shall be no age limit in case of widow and divorce women;] [Added by Notification No. F. 5(24)/Agriculture/Group 2B/85, dated 20.9.1989-Rajasthan Gazette, Part IV(C), dated 4.6.1992, p. 236, dated 20.9.1989 [4.6.1992.].](xi)[that there shall be no age limit in case of employees of Government Undertakings, declared surplus".] [Added by Notification No. F. 15(24)/Agriculture/Group-2/85, dated 28.2.1996-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 2.3.1996, p. 221, vide G.S.R. 101, enforced w.e.f. 28.2.1996 = 1996 RSCS/Part II/P. 181/H. 229 w.e.f. 28.2.1996.]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 divorce she will have to furnish the proof of divorce.(b)The date of birth shall invariably be mentioned in the order of first appointment to the service of the Market Committee.(c)[Every market committee employee shall retire on attaining the age of 60 years. The date of retirement shall be last day of the month in which employee attains the age of 60 years. However, the provisions of Rule 53-A shall be applicable to all market committee employees: [Substituted by Notification No. F. 15(24)/Agriculture/2/85, dated 24.9.2008-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 29.9.2008, p. 165, vide .G.S.R. 124, enforced w.e.f. 24.9.2008 = 2009 RSCS/Part II/P. 671/H. 344, dated 24.9.2008 [24.9.2008]]Provided that superior service employee of market committee who has attained the age of 58 years in August, 2008, shall retire when he attains the age of 60 years.Note. - 1. A market committee employee whose date of birth is the first of month shall retire from service in the afternoon of the last day of the proceeding month on attaining the age of sixty years.

2. In case the last day of the month happens to be a closed holiday, even then the market committee employee should formally relinquish charge of the office in the afternoon of that day.]

9. Condition of Medical Fitness.

- Save in the case of persons appointed for a period of three months or less. All direct appointments in the Market Committee shall be subject to the production of a certificate of health of Medical fitness by the candidate concerned from the Government Medical Officer.

10. Basic conditions of Service.

- A person appointed in the service of the Market Committee may be employed in any manner and his whole time will be at the disposal of the Market Committee: Provided that no woman shall be knowingly appointed or shall be engaged in the employment during the six weeks following the day on which she has delivered a child.

11. Joining time.

- An employee shall, neither, be appointed to hold two or more posts simultaneously except as a temporary measure, nor shall he be appointed substantively to a post on which another employee holds a lien.

12. Lien.

- An employee on substantive appointment to a permanent post shall acquire a lien on that post and will cease to hold any lien previously acquired on any other permanent post.

13. Suspension of lien.

- Lien of an employee shall be suspended if he is:-(i)appointed to a permanent post outside his cadre for the time being; or(ii)appointed provisionally to a post on which another employee would hold the lien or had his lien, not been suspended under these rules.

14. Transfer of lien.

- Lien of an employee may be transferred to another permanent post in the same cadre.

15. Retention of lien.

- An employee holding substantively a permanent post shall retain his lien on the post:-(a)while performing duties of that post;(b)while holding temporary post or Officiating on another post or cadre;(c)during joining time on transfer to another post unless he is transferred substantively to a post on lower pay in which case the lien is transferred to the new post from the date on which he is relieved of his duties in the old post;(d)while on leave; and(e)while under suspension.

16. Termination of lien.

- An employee's lien shall not be terminated even with his consent if he is without a lien or a suspended lien.[17. Subscription to Provident Fund. - An employee shall be required to subscribe to the Contributory Provident Fund of the Market Committee in accordance with such rules may be framed by the Government.] [Substituted by Notification No. F. 10(28)/Agriculture 2B/78, dated 1.8.1984-Rajasthan Gazette, Extraordinary, Part IV-C, dated 3.8.1984, p. 91, dated 1.8.1984 [3.8.1984]] [17A. Payment of Gratuity. - The gratuity payable to an employee shall be determined in accordance with the rules as are applicable to the State Government employees.] [Inserted by Notification No. F. 10(28)/Agriculture 2B/78, dated 1.8.1984-Rajasthan Gazette, Extraordinary, Part IV-C, dated 3.8.1984, p. 91, dated 1.8.1984 [3.8.1984].]

18. Conditions of pay and allowances.

- The pay and allowances of an employee begins when he takes over the charge of the post in respect of which they are earned and ceases to draw as soon as he ceases to discharge the duties of the post: Provided that pay and allowances shall be drawn from the date of assuming duties if charge is taken over before noon of that date.

19. Conditions in which employee ceases to be in Market Committee Service.

(a) No employee shall be granted leave of any kind for a continuous period exceeding one year; (b) Unless in exceptional circumstances of the case the competent authority if otherwise determines, an employee shall be deemed to have resigned and shall cease to be the employee of Market Committee, if he- (i) does not resume duty after remaining on leave for a continuous period of one year; or (ii) after the expiry of leave remains absent from duty otherwise than on account of suspension, for any period which together with the period of leave granted to him exceeds one year.

20. Termination of service of a temporary employee.

(a) Unless the period of notice is otherwise agreed to, service of a temporary employee of the market committee may be terminated as any time by one month's notice in writing given by the appointing authority or the employee himself. (b) The market committee may terminate the services of such temporary employee forthwith by payment to him sum equivalent to the amount of his pay and allowances, for the period of one month or for the period by which such notice falls short of one month or any longer period as agreed to.

20A. Probation and Confirmation.

- [(i) Probation. - All persons appointed to any cadre by direct recruitment shall be placed on probation as probationer-trainee for two years and probationer trainee shall be paid monthly fixed remuneration during the period of probation at such rates as may be fixed by the Government from time to time for the Government servants appointed on similar post. The person appointed to any

cadre by way of promotion shall be placed on probation for one year. If it appears to the appointing authority at any time during or at the end of the period of probation that a probationer has failed to give satisfaction, the appointing authority may revert him to the post held substantively by him immediately preceding his appointment on probation, provided he holds a lien therein or in other cases may remove him from service: Provided that the appointing authority may extend the period of probation of any probationer to a specified period not exceeding six months. A probationer reverted or removed from the post during or at the end of the probation period shall not be entitled for any compensation.] [Substituted by Notification No. Nil, dated 24.10.2007-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 1.2.2008, p. 165(1), vide G.S.R. 91, enforced w.e.f. 24.10.2007 = 2008 RSCS/Part II/P. 382/H. 198 w.e.f. 24.10.2007.](ii) Confirmation. - A probationer shall be confirmed in his appointment at the end of the period of his probation if:-a. he has passed a departmental test of proficiency in Hindi;b. he has passed the prescribed departmental examination if any, completely; andc. the appointing authority is satisfied that his integrity is unquestionable and that he is otherwise fit for confirmation.Chapter - IV Pay and additions to pay

21.

An employee shall draw such pay as may be prescribed by these Rules for the post held by him.[21A. The pay of employees of Government Undertakings declared surplus and observed in market committee service, shall be fixed as per directions issued by Government from time to time.] [Added by Notification No. F. 15(24)/Agriculture/Group-2/85, dated 28.2.1996-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 2.3.1996, p. 221, vide G.S.R. 101, enforced w.e.f. 28.2.1996 = 1996 RSCS/Part II/P. 181/H. 229 w.e.f 28.2.1996.]

22.

An employee awaiting posting orders will draw on taking over charge pay of the new post or old post whichever is less.

23.

The initial pay of an employee when appointed to a post by direct recruitment, selection, promotion, or transfer shall be fixed in the same manner as laid down in the Rajasthan Service Rules or any orders relating thereto, issued by the Government of Rajasthan amended from time to time.

24. Regulation of pay where pay of a post is changed.

- An employee holding a post, in substantive or officiating capacity, the pay of which is changed, shall be treated as if transferred to a new post on the next pay, provided that he may, at his option retain his old pay until the date on which he has earned his next increment, or any subsequent in the old scale or until he vacates his post or ceases to draw pay in that time scale. The option once exercised shall be final. Failure to exercise option shall entail forfeiture of benefit of this Rule.

25. Option to elect Revised pay during Suspension.

- An employee under suspension may opt the revised scale of pay under Rule 24 above, in the following cases:-(i)If revised scale of pay takes effect from a date prior to the date of suspension;or(ii)If revised scale of pay takes effect from date falling within the period of suspension;As a result of option in the former case, he shall be entitled to benefit of increase in pay, during duty period before suspension and also the subsistence allowance during suspension-whereas in the later case this benefit of option will, however, accrues to him in respect of the period of suspension only after his reinstatement depending on the fact whether this period of suspension is treated as duty or not.

26. Increment.

- Subject to the provisions of Rule 23 an increment accruing in a time scale or pay, shall ordinarily be sanctioned by the Secretary of the Market Committee as a matter of course unless it is withheld by an authority empowered to withhold such increment in accordance with provisions of Rules. Any order withholding an increment shall state the period for which it is withheld and whether the postponement shall have the effect of postponing further increments. The increment may be admitted from the first day of the Month in which it would fall due.

27. Conditions on which service counts for Increments.

- Conditions on which service counts for increments in time scale will be governed as prescribed in Rule 31 of the Rajasthan Service Rules mutatis mutandis.

28. Pay on transfer to a lower post as penalty.

- An employee transferred as penalty from higher to a lower time scale of pay or post may be allowed to draw any pay, not exceeding, the maximum of the lower time scale of pay or post as the competent authority may think proper.

29. Future increments on reduction in lower stage etc.

(a)A competent authority ordering reduction of an employee to a lower stage in the time scale of pay as a measure of penalty shall state the period for which the reduction shall be effective and whether on restoration the period of reduction shall operate to postpone future increment and if so, to what extent:Provided that when an employee is reduced to a particular stage his pay will remain constant at that stage for the entire period of reduction.(b)If an employee is reduced as a measure of penalty to a lower service, cadre class, post or to a lower time scale of pay, the authority ordering the reduction may or may not specify the period for which the reductions shall be effective but where the period is specified, that authority shall also state whether on restoration, the period of reduction shall operate to postpone future increments and if so to what extent.

30.

(a)Competent authority imposing penalty by way of reduction to a lower stage in the time scale of pay under Rule 29 (a) shall indicate in the order:- (i)The date from which it will take effect and the period in terms of years and months for which the penalty shall be operative; (ii)The stages in the time scale (in terms of rupees) to which employee is reduced; and (iii)The extent (in term of years and months) if any, for which the period referred to at (i) above shall operate to postpone future increments. (b)After expiry of the period of the reduction the pay of the employee shall be regulated as under:- (i)If the order of reduction lays down that the period of reduction shall not operate to postpone future increments, the employee shall be allowed the pay which he would have drawn in normal course but for his reduction; (ii)The stage in the time scale (in terms of rupees) to which employee is reduced; and (iii)If the order specified that the period of reduction was to operate to postpone future increments for any specified period, the pay of an employee shall be fixed in accordance with (i) above but after treating the period for which the increments were to be postponed as not counted for increments.

31. Pay when reduction is set-aside on appeal or review.

- Where an order of penalty of withholding of increments of an employee or his reduction to lower service, grade or post or to a lower time- scale or to a lower stage in a time scale is set aside or modified by the competent authority in appeal or review, the pay shall be regulated in the following manner:- (a)If the said order is set aside, he shall be given for the period such order has been in force; the difference between the pay to which he would have been entitled had that order not been made and the pay he had actually drawn; (b)If the said order is modified the pay shall be regulated as if the order so modified had been made in the first instance. Note. - If the pay drawn by an employee in respect of any period prior to the issue of the order of the competent authority under this Rule is revised, the leave salary and allowance (other than travelling allowance) if any, admissible to him during that period shall be revised on the basis of the revised pay.

32. Officiating Appointments.

(a)An employee, for the period he is out of his regular line shall not be deprived of his officiating promotion which he would have otherwise received; Subject to the provisions of Rule 23 an employee who is appointed to officiate in a post shall not draw pay higher than his substantive pay in respect of a permanent post, unless the officiating appointment involves assumption of duties and responsibilities of greater importance than these attached to his substantive post and unless the time scale of pay of the officiating post is higher than his substantive post. Note. - (1) When officiating appointment is made to a post which is on the same time scale of pay as the permanent post on which an employee holds lien or would hold lien had his lien not been suspended, such officiating appointment shall not be deemed to involve the assumption of duties or responsibilities of greater importance; (2) Higher officiating pay is not admissible to an employee in service where different posts on different pay scales have been merged into time scale for new contracts.

33. Payment that can be accepted without permission.

- An employee may receive award for any essay or public competition or income derived from literary, cultural or artistic efforts or scale of book written by him with the aid of knowledge acquired by him during the course of service under the Market Committee provided it is certified by the [Director] [Substituted by Notification No. F. 10(28) Agriculture/Group-II/78, dated 7.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 7.6.1980, p. 85, dated 7.6.1980.] that such book is not a compilation of Market Committee Rules regulations and procedures.[33A. Leave encashment. - An employee shall be allowed leave encashment benefit as per rules applicable to the State Government employees.] [Substituted by Notification No. F. 10(28)/Agriculture 2B/78, dated 1.8.1984-Rajasthan Gazette, Extraordinary, Part IV-C, dated 3.8.1984, p. 91, dated 1.8.1984.]Chapter - V Joining Time

34. Admissibility of joining time.

- An employee may be granted joining time to enable him.(a)to join a new post to which he is appointed while in old post, or directly on relinquishing charge of that post;(b)to join a new post;(i)on return from privilege leave; and(ii)when he has no sufficient notice of his appointment to the new post, on return from leave other than that specified in sub-clause (1) above.

35.

(a)Time reasonably required for the journeys between the place of training and the station to which an employee is posted immediately before and after the period of training shall be treated as a part of training.(b)An employee awaiting posting orders on the expiry of leave or otherwise at the place where leave was enjoyed or the place of last day and who is treated on duty under Rule 7(a) (6) (b) (ii) of these Rules may be granted joining time.(c)Where an order of appointment to join a new post does not involve a change of residence from one station to another, not more than one day shall be allowed to join such new post. A holiday counts as a day for the purpose of this rule.(d)Where prescribed holidays succeed the day of handing over charge of a post by an employee and the appointment to the new post does not involve change of residence the joining time shall be deemed to have been extended to cover such holidays.(e)Joining time and travelling allowance on transfer shall be admissible where the transfer is made in the interest of the affairs of the Market Committee.[36. Period of joining time admissible. - The Market Committee employees shall be allowed period of joining time as per rules applicable to the State Government employees from time to time.] [Substituted by Notification No. F. 15(24)/Agriculture/Group 2/B/85, dated 16.7.1987-Rajasthan Gazette, Part IV-C, dated 8.10.1987, p. 282, dated 16.7.1987 [8.10.1987]]

37. Admissibility of maximum joining time.

- Joining time may be extended by the [Director] [Substituted by Notification No. F. 10(28) Agriculture/Group-II/78, dated 7.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 7.6.1980, p. 85 dated 7.6.1980.] as may be case upto the maximum time limit of thirty days in the

circumstance as he may think proper. Chapter - VI Leave

38.

Any kind of leave may be granted in combination or in continuation of any other kind of leave.[39. Privilege leave. - The Market Committee Employees shall be allowed privilege leave benefits as per rules on provision applicable to the State Government employees from time to time] [Substituted by Notification No. F. 15(24)/Agriculture/Group 2/B/85, dated 16.7.1987-Rajasthan Gazette, Part IV-C, dated 8.10.1987, p. 282, dated 16.7.1987 [8.10.1987]]

40.

Privilege leave cannot be claimed as a right. Discretion is reserved to the authority empowered to grant leave, to refuse or revoke leave at any time according to exigencies of the service of Market Committee provided that any leave applied for and due as preparatory to retirement shall only be refused by the [Director] [Substituted by Notification No. F. 10(28) Agriculture/Group-II/78, dated 7.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 7.6.1980, p. 85 dated 7.6.1980.] and not by the leave sanctioning authority.

41.

Every employee proceeding on leave must record on his application for leave the address at which letters will find him during leave, subsequent changes in address during leave, if any, should likewise be intimated to leave sanctioning authority.

42.

Leave ordinarily begin on the day on which transfer of charge is affected and ends on the day proceeding that on which charge is resumed.

43.

(a)An employee who absents himself without leave for seven continuous days or absents himself after the expiry of the period of leave ordinarily granted or subsequently extended, shall cease to be in the employment of the Market Committee unless he submits satisfactory explanation for his absence.(b)An employee who absents without leave or before any leave is sanctioned or who does not report for duty after the expiry of his leave, is entitled to no leave salary for the period of absence. Absence without leave, moreover, amounts to interrupt in service involving forfeiture of past service, unless no satisfactory reasons being furnished, the period of such wilful absence is commuted into leave without pay.

44. Amount of leave salary admissible.

- An employee on privilege leave shall be entitled to the same salary which he would have drawn, had he not proceeded on such leave.

45. Extraordinary leave.

(a) Extraordinary leave may be granted to a permanent or temporary employee in the following circumstances:-(i) When privilege leave is not due; or (ii) When the employee applied in writing for the grant of extraordinary leave. (b) Except in the case of a permanent employee, the duration of extraordinary leave shall not exceed three months or twelve months on any one occasion, the longer being admissible only on medical grounds. (c) No leave salary shall be paid for the period spent on extraordinary leave and such period shall not count for increment except as provided in Rule 27.

46. Maternity leave.

(a) A competent authority may grant to a women employee, maternity leave on full pay for a period which may extend upto [the period of 90 days] [Substituted by Notification No. F. 10(28)/Agriculture/Group 2B/78, dated 16.3.1990-Rajasthan Gazette, Part IV-C, dated 3.5.1990, p. 14, w.e.f. 25.5.1985, dated 16.3.1990 [3.5.1990].] from the date of its commencement [xxx] [Deleted by Notification No. F. 10(28)/Agriculture/Group 2B/78, dated 16.3.1990-Rajasthan Gazette, Part IV-C, dated 3.5.1990, p. 14, w.e.f. 25.5.1985, dated 16.3.1990 [3.5.1990]] (b) Maternity leave may also be granted in case of mis-carriage including abortion which is complete, subject to the conditions that:-(i) The leave does not exceed six weeks, and (ii) the application for the leave is supported by a Certificate from the Government Medical Officer. [Explanation. -Abortion does not include threatened abortion and Maternity Leave can not be granted in the case of threatened abortion.] [Inserted by Notification No. F. 10(28)/Agriculture/Group 2B/78, dated 16.3.1990-Rajasthan Gazette, Part IV-C, dated 3.5.1990, p. 14, w.e.f. 25.5.1985, dated 16.3.1990 [3.5.1990].] (c) Temporary women employee may also be allowed maternity leave. (d) Maternity leave may be combined with leave of any kind but any leave applied for in continuation of the former may be granted only if the request is supported by a Medical Certificate from Government Medical Officer. (e) Such leave shall not be allowed from the fourth issue.

47. Half pay leave.

(a) Half pay leave admissible to an employee in respect of each completed year of service shall be 20 days. (b) The half pay leave due may be granted to an employee on medical certificate or on private affairs. (c) During the course of half pay leave an employee shall be entitled to half the salary and compensatory allowance to be worked out on that amount of half pay which shall be reckoned on the rate of pay drawn on the day preceding the day of proceeding on half pay leave. This rate shall not include any special pay or pay drawn for combination of appointment. (d) Commuted leave, not exceeding the amount of half pay leave due, may be granted on medical certificate only to a permanent employee, subject to the following conditions:-(i) Commuted leave during the entire

service shall be limited to maximum of 240 days.(ii)When commuted leave is granted, twice the amount of such leave shall be debited against the half-pay leave.Chapter - VII Medical facilities, allowances, liveries & other facilities

48. Medical Facilities.

- The employees and their families shall be entitled to such medical facilities as laid down in the Rajasthan Civil Services (Medical Attendance) Rules, 1970 and any orders relating thereto, issued by the Government of Rajasthan amended from time to time.

49. Dearness Allowance, House Rent Allowance and City Compensatory Allowance.

- An employee will be eligible to such dearness allowance, house rent allowance and city compensatory allowance and such other allowances as maybe prescribed by the [Director] [Substituted by Notification No. F. 10(28) Agriculture/Group-II/78, dated 7.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 7.6.1980, p. 85, dated 7.6.1980.] from time to time.Note. - Pending issue of orders of the Secretary under this rule, the rules in this regard made by the Government of Rajasthan for their employees will apply mutatis mutandis to the employees of the Market Committee.

50. Liveries.

- Members of the inferior services shall be provided with uniform, who have completed one year continuous service of the Market Committees or are holding substantive post in the Market Committee.

51. Return of Liveries.

- In case an employee resigns from the services of the Market Committee for any reason or leaves the service otherwise, he shall before so doing return all the articles of liveries which are for the time being in his charge to the Secretary of the Market Committee if it has not been used for the prescribed period.

52. Scale of Liveries.

- [Liveries shall be supplied to the following categories of employees as per scale noted below] [Substituted by Notification No. F. 10(28)/Agriculture 2B/78, dated 1.8.1984-Rajasthan Gazette, Extraordinary, Part IV-C, dated 3.8.1984, p. 91, dated 1.8.1984 [3.8.1984]]:-

Season For Peon, Chokidar Sweepers
Farrash

[Driver] [Substituted by Notification No. F. 10(28) Agriculture/Group-II/78, dated 7.6.1980-Rajasthan Gazette, Extraordinary, Part

IV-C, dated 7.6.1980, p. 85 dated 7.6.1980.]

Summer	Buttoned up short coats and pents, (Cotton) 2sets in 1 year. Safas 3 in 2 years.	Shirts (Cotton) & Half pents 2 sets in 1year, Cap (Cotton) 1 in 1 year.	Bush shirts & pents 2 in 1 year.
Winter	Buttoned up short coat (Woollen) one in twoyears.	Jersey (Woollen) one in 2 years.	Jersey (Woollen) one in two years.

53.

The rules regarding discipline and appeal are reproduced in Appendix 'B'. [53A. (1) Optional Retirement on completion of [15] [Inserted by Notification No. F. 15(24)/Agriculture/Group 2/B/85, dated 16.7.1987-Rajasthan Gazette, Part IV-C, dated 8.10.1987, p. 282, dated 16.7.1987 [8.10.1987].] years qualifying service.(a)A Market Committee Employee may, after giving at-least 3 months previous notice in writing to the appointing Authority, retire from service on the date on which he completes [15 years] [Substituted by Notification No. F. 15(24)/Agriculture/Group-2/85, dated 14.11.2005-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 21.11.2005, p. 93-A, vide G.S.R. 58-A, enforced w.e.f. 14.11.2005 = 2006 RSCS/Part II/P. 133/H. 98, w.e.f. 14.11.2005.] of qualifying earlier or any date thereafter to be specified in service or attains the age of 45 years whichever is the notice:Provided that it shall be open to the appointing authority to withhold permission to retire a Market Committee Employee:(i)who is under suspension;(ii)in whose case disciplinary proceedings are pending or contemplated for the imposition of a major penalty and the disciplinary authority having regard to the circumstances of the case, is of the view that such disciplinary proceeding might result in imposition of the penalty of removal or dismissal from service;(iii)in whose case prosecution is contemplated or may have been launched in a court of law;(b)A Market Committee Employee who has given notice for seeking retirement under clause (a) of this sub-rule, may presume acceptance of the notice of retirement and the retirement shall be effective in terms of the notice automatically unless an order in writing to the contrary has been issued by the competent Authority and served upon the market committee employee before the expiry of the period of notice.(c)If a Market Committee employee seeks retirement under this sub-rule while he is on leave not due, without returning to duty, the retirement shall take effect from the date of commencement of the leave not due and the leave salary paid in respect of such leave shall be recovered from him.(d)Market Committee Employee who seeks voluntary retirement under clause (a) of this sub-rule shall be entitled to a weight age of a 5 years qualifying service which shall be given as an addition to the qualifying service actually rendered by him. The grant of weight age upto 5 years shall, however, be subject to the following conditions:-(i)in respect of market committee employees governed by the Rajasthan Agricultural Produce Markets (Provident Fund) Rules, 1982 Market Committee Contribution shall be enhanced by the amount which would have accrued by the addition of five years notional service.(ii)the notional contribution shall be added on the basis of the amount of subscription made immediately before the date of retirement without subscribing to the fund on or after the date of his retirement.(iii)the resultant increase in the aforesaid manner shall in no case be more than the contribution which could have been credited in

his provident fund account had be retire on completing 33 years qualifying service or on attainment of the age of superannuation whichever is less.(iv)the benefit of five years, notional qualifying service mentioned in this clause shall not be admissible to a Market Committee Employee who is retire under sub-rule (2) of this Rule.(e)A Market Committee Employee who gives notice of Voluntary retirement under clause (a) of sub-rule (1) shall satisfy himself by means of a reference to the appointing authority who is competent to retire him to the effect that he has, in fact, completed [15] [Substituted by Notification No. F. 15(24)/Agriculture/Group-2/85, dated 14.11.2005-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 21.11.2005, p. 93-A, vide G.S.R. 58-A, enforced w.e.f. 14.11.2005 = 2006 RSCS/Part II/P. 133/H. 98 w.e.f. 14.11.2005.] years qualifying for retirement.(f)A Market Committee Employee may, with the approval of the appointing authority, withdraw the notice given under clause (a) of this sub-rule provided the request for such withdrawal is made before the expiry of the notice.(g)The authority competent to retire a Market Committee Employee may, in deserving cases; accept the notice contemplated under clause (a) of this sub-rule for a period of less than 3 months with the concurrence of the Government.(2)Compulsory retirement after completion of [15] [Substituted by Notification No. F. 15(24)/Agriculture/Group-2/85, dated 14.11.2005-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 21.11.2005, p. 93-A, vide G.S.R. 58-A, enforced w.e.f. 14.11.2005 = 2006 RSCS/Part II/P. 133/H. 98 w.e.f. 14.11.2005.] years of send.(i)The appointing Authority shall have the absolute right to retire in public interest any Market Committee Employee, by giving him at least three months previous notice in writing, from service on the date on which he complete [15 years of qualifying service or on the date which he attain the age of 50 years, (whichever is earlier)] [Substituted by Notification No. F. 15(24)/Agriculture/Group-2/85, dated 21.11.2001-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 26.11.2001, p. 159, vide G.S.R. 95, enforced w.e.f. 21.11.2001 = 2002 RSCS/Part II/P. 82/H. 82 w.e.f. 21.11.2001.], or on any date thereafter:Provided that such Market Committee Employee may be retired from service forth-with and on such retirement the Market Committee Employee shall be entitled to claim three months pay and allowance in lieu of notice.(ii)The Director may publish the order of such retirement in News Papers, and the Market Committee Employees shall be deemed to have retired on such publication, if he has not been served with the retirement order earlier,][54. Holidays. - The employees shall be allowed to avail the Gazetted holidays as declared by the State Government from time to time for the State Government employees in a calendar year: [Substituted by Notification No. F. 10(28)/Agriculture 2B/78, dated 1.8.1984-Rajasthan Gazette, Extraordinary, Part IV-C, dated 3.8.1984, p. 91, dated 1.8.1984. [3.8.1984].]Provided that the employees who work in the markets on account of auction and other essential services shall not be allowed the aforesaid holidays except market closed days but in lieu of this they shall be allowed compensatory leave in such rotation as the Secretary of the concerned Market Committee decides.

55. Weekly day.

- The weekly day shall be the day on which a particular market yard or sub-yard observes a weekly closed day.

56. Hours of work.

- The working hours of the employee shall be such as may be fixed by the respective Market Committees for the proper running of Market Committee subject to the approval of the [Director] [Substituted by Notification No. F. 10(28) Agriculture/Group-II/78, dated 7.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 7.6.1980, p. 85, dated 7.6.1980.],

57. Casual leave.

- Casual leave is not recognised and is not subject to any rule, technically, therefore a market committee employee or casual leave is not treated as absent from duty and his pay is not intermitted, casual leave, however, must not be given so as to cause evasion of the rules regarding:-(i)date of reckoning pay and allowance;(ii)charge of officer;(iii)commencement and, end of leave;(iv)return to duty; or so as to extend the term of leave beyond the time admissible by rules.Maximum period of casual leave admissible to Market Committee employee in a calendar year will be 15 days subject to a limit of 10 days at any one time. Paid and weekly holidays/compensatory holiday will not be counted for while reckoning the limit of 10 days.

58. Educational facilities.

- Payment of any tuition fee by the employee in respect of his wards (legitimate sons and daughters) to Government Educational Institutions, shall be reimbursed by the Market Committee on production of such receipt from the Educational Institution.

59. Travelling Allowance.

- Employees shall be entitled to Travelling Allowance as per Rajasthan Travelling Allowance Rules, 1971 and orders relating thereto issued by the Government of Rajasthan amended from time to time.

60.

The rule regarding determination of seniority in the event of transfer from the one Market Committee to another are given in Appendix 'C'.Chapter - VIII

61. Strength.

- The strength of the Market Committee shall be such as may be fixed by it with the prior approval of the [Director] [Substituted by Notification No. F. 10(28) Agriculture/Group-II/78, dated 7.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 7.6.1980, p. 85, dated 7.6.1980.] from time to time.

62. Pay Scales.

- Pay scales allowed to the various categories of service are mentioned against each in Appendix 'A'. Any change required to be made at a later date will have the effect only after it has been approved by the [Director] [Substituted by Notification No. F. 10(28) Agriculture/Group-II/78, dated 7.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 7.6.1980, p. 85, dated 7.6.1980.],

63. Initial Constitution of Service.

- The service shall consist of all persons, recruited to the Service before the commencement of these rules, provided recruitment was made in accordance with the provisions of the rules or orders from the time being in force.

64. Method of recruitment for superior posts.

(1) Requirement to the Service after the commencement of these Rules, shall be made by the following methods:-(i) By direct recruitment; (ii) By promotion; (iii) By deputation from State Government; (iv) [By absorption of employees of Government Undertakings declared surplus, or equal or below cadre posts:] [Added by Notification No. F. 15(24)/Agriculture/Group-2/85, dated 28.2.1996-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 2.3.1996, p. 221, vide G.S.R. 101, enforced w.e.f. 28.2.1996 = 1996 RSCS/Part II/P. 181/H. 229, w.e.f. 28.2.1996.] Provided that if the [Director] [Substituted by Notification No. F. 10(28) Agriculture/Group-II/78, dated 7.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 7.6.1980, p. 85, dated 7.6.1980.], or any authority, authorised in this respect, is satisfied that suitable persons are not available for appointment by either method or requirement in a particular year, appointment by either method, in relaxation of the prescribed proportion, may be made by in the same manner as specified in these Rules: Provided further that the persons, who have continuously held posts on temporary basis in the service for a period of not less than 6 months on 1.1.1975 shall be screened by the Selection Board referred to in Rule 65(i) for adjudging their suitability to the posts held on 1.1.1975, provided they possess the qualifications prescribed in the Rules either for direct requirement or for promotion, on the basis of which persons were selected for ad hoc temporary appointments. (2) [The Secretary of the Market Committee concerned shall submit at the beginning of every year a statement showing the number of actual vacancies as on 1st April and anticipated vacancies likely to occur during the year to the Director or any other officer authorised by him.] [Substituted by Notification No. F. 10(28)/Agriculture 2B/78, dated 1.8.1984-Rajasthan Gazette, Extraordinary, Part IV-C, dated 3.8.1984, p. 91, dated 1.8.1984.] (2a) (i) The Director shall determine as on 1st April every year the number of actual and anticipated vacancies likely to occur during the financial year. (ii) Where a post is to be filled in by a single method as prescribed in the Appendix 'A', the vacancies so determined shall be filled-in by that method. (iii) Where a post is to be filled in by more than one method as prescribed in Appendix 'A', the apportionment of vacancies determined under clause (i) above to each such method shall be done maintaining the prescribed proportion keeping in view the number of posts already filled in. If any fraction of vacancies is left over after appointment of vacancies in the manner prescribed above, the same shall be apportioned in a continuous cyclic order giving precedence to the promotion quota. (iv) The Director shall also

determine the vacancies of earlier years 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.](3)[On receipt of a requisition for direct recruitment to the service, applications shall be invited by the Director or any Officer authorised by him, by advertising or any other method for the vacancies in such manner as he deems proper, in which it shall be clearly mentioned that persons appointed to any cadre by direct recruitment shall be placed on probation as probationer-trainee for two years and during the period of probation he shall be paid monthly fixed remuneration at such rates as may be fixed by the Government from time to time for the Government Servants appointed on similar post.] [Substituted by Notification No. Nil, dated 24.10.2007-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 1.2.2008, p. 165(1), vide G.S.R. 91, enforced w.e.f. 24.10.2007 = 2008 RSCS/Part II/P. 382/H. 198, w.e.f. 24.10.2007.](4)[Notwithstanding anything contained in the foregoing provisions, the requirement shall be made by the [Director] [Substituted by Notification No. F. 10(28)/Agriculture/Group-2/78, dated 20.7.1979-Rajasthan Gazette, Part IV-C, dated 2.8.1979, p. 214, dated 20.7.1979 [2.8.1979].] or any officer authorised by him by either of the following methods as he may deem fit:-(i)by selecting the candidates after advertising the posts in daily news papers, or(ii)[by selecting the candidates after calling for the candidates from local employment exchange of the area and State Sainik Board or District Sainik Board as the case may be.] [Substituted by Notification No. F. 10(28)/Agriculture 2B/78, dated 1.8.1984-Rajasthan Gazette, Extraordinary, Part IV-C, dated 3.8.1984, p. 91, dated 1.8.1984.]] [Provided that the direct recruitment to the post of Lower Division Clerk, Auction clerk and Auctioneer shall be made by a competitive examination to be conducted by the Director or Authority authorised by the Director as per the scheme and syllabus of the examination specified in Appendix 'E'] [Added by Notification No. G.S.R. 41, dated 6.7.2012.](5)[[Renumbered by Notification No. F. 10(28)/Agriculture/Group-2/78, dated 20.7.1979-Rajasthan Gazette, Part IV-C, dated 2.8.1979, p. 214, dated 20.7.1979 [2.8.1979].] (a) All appointments to the inferior posts shall be made by the Market Committees.(b)[Director or any other authority authorised by him shall allot selected candidates to market committees in the season in the required numbers and pass orders for issuing their appointment orders, mentioning therein that persons to appointed by direct recruitment to the service shall be placed on probation as probationer trainee for two years and shall be paid monthly fixed remuneration during the period of probation at such rates as may be fixed by the Government from time to time for the Government Servants appointed on similar post.] [Substituted by Notification No. Nil, dated 24.10.2007-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 1.2.2008, p. 165(1), vide G.S.R. 91, enforced w.e.f. 24.10.2007 = 2008 RSCS/Part II/P. 382/H. 198, w.e.f. 24.10.2007.][64II. The recruitment to inferior post (Class-IV) shall be done in such a manner as prescribed by the Director provided that wherever necessary requisition shall be sent to the employment exchange clearly mentioning that persons recruitment to the service shall be placed on probation as probationer-trainee for two years and shall be paid monthly fixed remuneration the period of probation at such as may be fixed by the Government from time to time for Government Servants appointed on similar post. The employees of Government undertaking declared surplus may also be absorbed by an order of the Director.] [Substituted by Notification No. Nil, dated 24.10.2007-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 1.2.2008, p. 165(1), vide G.S.R. 91, enforced w.e.f. 24.10.2007 = 2008 RSCS/Part II/P. 382/H. 198, w.e.f. 24.10.2007.][64III. Recruitment of dependents of deceased employees. - The rules for the recruitment of dependents of the employees dying while in service shall be the same as are applicable to the State Government

employees.] [Added by Notification No. F. 10(28)/Agriculture 2B/78, dated 1.8.1984-Rajasthan Gazette, Extraordinary, Part IV-C, dated 3.8.1984, p. 91, dated 1.8.1984. [3.8.1984]] [64-IV. Regularization of irregularly appointed persons. [Inserted by Notification No. G.S.R. 108, dated 24.2.2011 (w.e.f. 5.2.1976).]- Notwithstanding anything contained in these rules, the persons irregularly appointed on duly sanctioned post of Class-IV employees, Lower Division Clerk or Driver in various Mandi Samitis and completed 10 years of service without break and continuously working as such on the date of commencement of the Rajasthan Agricultural Produce Markets (Market Committee Employees) (Amendment) Rules, 2011, shall be screened by the Committee consisting of-

1	Director, Agriculture Marketing Department	Chairman
2	Chief Accounts Officer, Agriculture Marketing Department	Member
3	Joint Director, Agriculture Marketing Department	Member
		Secretary

Provided they were eligible for appointment, as per rules on the date of their initial irregular appointment and vacancy is available at the time of screening. The Appointing Authority shall issue appointment order of the person, who is adjudged suitable by the Screening Committee and appointment shall be effective from the date of issue of such appointment order.] [Inserted by Notification No. F. 10(28)/Agriculture 2B/78, dated 1.8.1984-Rajasthan Gazette, Extraordinary, Part IV-C, dated 3.8.1984, p. 91, dated 1.8.1984.]

65. Procedure for recruitment by promotion and transfer.

- 1. Constitution of Selection Board. - There shall be a selection board for each region, comprising of:-(a)the [Director] [Substituted by Notification No. F. 10(28) Agriculture/Group-II/78, dated 7.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 7.6.1980, p. 85, dated 7.6.1980.];(b)the two other officers, nominated by the Secretary; and(c)two Chairman of the Market Committees of the region, as may be nominated by the [Director] [Substituted by Notification No. F. 10(28) Agriculture/Group-II/78, dated 7.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 7.6.1980, p. 85, dated 7.6.1980.]The [Director] [Substituted by Notification No. F. 10(28) Agriculture/Group-II/78, dated 7.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 7.6.1980, p. 85, dated 7.6.1980.], or in his absence, the Senior Most Officer amongst the nominated officers shall be the Chairman of the Selection Board. The quorum of the Selection Board shall be of 3 members.Note. - Region for this purpose means the region as decided by the [Director] [Substituted by Notification No. F. 10(28) Agriculture/Group-II/78, dated 7.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 7.6.1980, p. 85, dated 7.6.1980.]

2. Criteria for selections. - For purpose of recruitment by promotion to the service a selection, strictly on the basis of the seniority-cum-merit shall be made by the Selection Board from amongst members of the service eligible for promotion, as provided in Appendix 'A'. The Secretary or any officer authorised by him shall thereafter prepare seniority lists of selected

candidates in each category on the basis of information/service record, received from the Market Committee.

3. Procedure for selection by promotion. - Wherever vacancies in various grades and categories of service are to be filled by promotion, the market committees concerned shall submit their recommendations in order of seniority in the lower grade to the [Director] [Substituted by Notification No. F. 10(28) Agriculture/Group-II/78, dated 7.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 7.6.1980, p. 85, dated 7.6.1980.], along with service record of the persons recommended for promotion.

4. In selecting candidate for promotion, regard shall be had to their:-

(i)Qualifications, knowledge and experience;(ii)Tact, Energy and Intelligence;(iii)Integrity; and(iv)Previous record of service.

5. On receipt of the decision of the Selection Board, orders for promotion shall be issued by the Market Committee concerned.

[65A. Reservation of vacancies. - (1) Reservation of vacancies for the persons belonging to the Scheduled Castes and 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.(3)In filling the vacancies so reserved, the eligible candidates who are members of the Scheduled Caste or Scheduled Tribes shall be considered for appointment in the order in which their names appear in the list prepared for direct recruitment by the Director or the Market Committees as the case may be and by Selection-Board in the case of promotee, 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 nonavailability of the eligible and suitable candidate 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 unfilled shall be carried forward to the subsequent three recruitment years in total and thereafter such reservations would lapse.(5)Reservation of vacancies for disabled persons shall be in accordance with the orders of the Government for such reservation in force at the time of direct recruitment.(6)12½% of the post of junior clerks (L.D.C.), auction clerks and auctioneers and 15% of the posts of Class IV shall be reserved for being filled in from amongst the ex-service-men in a year by direct requirement in accordance with these rules: provided that if any ex-service-men appointed by direct requirement in pursuance of these rules belonging to a Scheduled Caste or a Scheduled Tribe, his appointment shall be adjusted against the quota reserved for such castes or tribes, as the case may be under these rules.] [Inserted by Notification No. F. 10(28)/Agriculture 2B/78, dated 1.8.1984-Rajasthan Gazette,

Extraordinary, Part IV-C, dated 3.8.1984, p. 91, dated 1.8.1984 [3.8.1984].](7)[Reservation of vacancies for [Backward Classes, Special Backward Classes and Economically Backward Classes] [Inserted by Notification No. F. 15(24)/Agriculture/Group-2/85, dated 28.5.2008-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 4.6.2008, vide G.S.R. 40, enforced w.e.f. 28.5.2008 = 2009 RSCS/Part II/P. 83/H. 76, w.e.f. 28.5.2008.] shall be in accordance with the orders of the Government for such reservation in-force at the time of direct requirement. In the event of non-availability of eligible and suitable candidates amongst [Backward Classes, Special Backward Classes and Economically Backward Classes] [Substituted 'Other Backward Classes' by Notification No. G.S.R. 41, dated 6.7.2012.] in a particular year, the vacancies so reserved for them shall be filled in accordance with the normal procedure.(8)Reservation of vacancies for women candidates shall be 30% category wise, in direct recruitment out of which 5% shall be for widow candidates. In the event of non-availability of the eligible and suitable widow candidates in a particular year, the vacancies so reserved for widow candidates shall be filled by other women candidates and the event of non-availability of eligible and suitable women candidates, the vacancies so reserved for them shall be filled up by male candidates and such vacancies shall not be carried forward to the subsequent year and the reservation shall be treated as horizontal reservation i.e. the reservation of women candidates shall be adjusted proportionately in the respective category to which the women candidates belong.][66. xxx] [Deleted by Notification No. Nil, dated 24.10.2007-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 1.2.2008, p. 165(1), vide G.S.R. 91, enforced w.e.f. 24.10.2007 = 2008 RSCS/Part II/P. 382/H. 198, w.e.f. 24.10.2007.][67. Persons appointed to the service may be transferred from one Market Committee to another by the Director when considered necessary in public interest.] [Substituted by Notification No. F. 15(24)/Agriculture/2B/85, dated 27.7.1991-Rajasthan Gazette, Part IV(C), dated 7.5.1992, p. 158, dated 27.7.1991 [7.5.1992]]

68. Seniority.

- Seniority in each category of service shall be determined by the year of substantive appointment to a post in the particular category, provided-

1. That if two or more persons are appointed to posts in the same category and in the same year, a person appointed by promotion shall be senior to a person appointed by director recruitment;

2. That the seniority inter se of persons appointed to posts in a particular category by direct recruitment on the basis of one and the same selection, shall follow the order in which they have been placed in the list, prepared by the [Director] [Substituted by Notification No. F. 10(28)

Agriculture/Group-II/78, dated 7.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 7.6.1980, p. 85, dated 7.6.1980.] or any officer authorised by him;

3. That the seniority inter se of persons appointed to posts in a particular category by promotion, shall follow the order in which they have been placed in the list prepared by the Selection Board under Rule 65(3),

4. [That the seniority of surplus employees of Government Undertakings observed in the market committee service shall be determined from the date of their joining the market committee service] [Added by Notification No. F. 15(24)/Agriculture/Group-2/85, dated 28.2.1996-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 2.3.1996, p. 221, vide G.S.R. 101, enforced w.e.f. 28.2.1996 = 1996 RSCS/Part II/P. 181/H. 229, w.e.f 28.2.1996.].

(5)[That the inter-se seniority of the persons screened under Rule 64-IV, shall be determined according to the length of continuous service from the date of their irregular appointment. These persons shall rank minor to the persons appointed regularly till the date of commencement of the Rajasthan Agricultural Produce Markets (Market Committee Employees) (Amendment) Rules, 2011.] [Added by Notification No. G.S.R. 108, dated 24.2.2011 (w.e.f. 5.2.1976).]Appendix 'A'

Name of the post	Method of recruitment withpercentage	Minimum qualification andexperience required for direct recruitment	Post selec bypr be m
1	2	3	4
1. Assistant Secretary	[33% by direct requirement and 67% by promotionamongst and Jr. Accountants in the ratio of 8 :1 respectively] [Substituted by Notification No. F. 15(69)/Agriculture/Group-2B/85, dated 21.6.1991-Rajasthan Gazette, Part IV-C, dated 4.6.1992, p. 238, dt 21.6.1991 [4.6.1992]]	Degree in Arts/ Commerce/Science/Agriculture froman University established by law in India, Training in MarketSecretary's Course.	1. Ju Acco Grov 'B'2.
2. Supervisor	[100% by promotion] [Substituted by Notification No. F. 10(18)/Agriculture/Group-2/78, dated 5.12.1994-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 18.12.1994, p. 337, vide G.S.R. 98, enforced w.e.f. 5.2.1994 = 1995 RSCS/Part II/P. 98/H. 68 w.e.f. 5.12.1994]	[x x x] [Deleted by Notification No. F. 10(18)/Agriculture/Group-2/78, dated 5.12.1994-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 18.12.1994, p. 337, vide G.S.R. 98, enforced w.e.f. 5.2.1994 = 1995 RSCS/Part II/P. 98/H. 68 w.e.f 5.12.1994.]	Seni
3. Senior Clerk (UDC)	100% by promotion	-	1. Ju

4. Junior Clerk (LDC)

[15% by promotion and 85% by direct requirement] [Inserted by Notification No. F. 10(28)/Agriculture/Group 2B/78, dated 4.8.1986-Rajasthan Gazette, Extraordinary, Part IV-C, dated 5.8.1986, p. 107, dt 4-8-1986.]

(A) [Senior Secondary from a recognised Board or its equivalent examination. [Substituted by Rajasthan Notification No. G.S.R. 41, dated 6.7.2012.]and(B) "O" or Higher Level Certificate Course conducted by DOEACC under control of the Department of Electronics, Government of India.orComputer Operator & Programming Assistant (COPAVData preparation and Computer Software (1JPCS) certificate organised under National/State Council of Vocational Training Scheme.orDiploma in Computer Science/Computer Applications from a University established by law in India or from an institution recognised by the Government.orDiploma in Computer Science & Engineering from a polytechnic institution recognised by the Government.orRajasthan State Certificate Course in Information Technology (RSCIT) conducted by Vardhaman Mahaveer Open University, Kota under control of Rajasthan Knowledge Corporation Limited.]

Class

5. Auction Clerk

[-do-] [Substituted by Notification (A) [Senior Secondary from a -do-
No. F. 17(38)/Agriculture-1/89, recognised Board or its
dated 1.2.1991-Rajasthan Gazette, equivalent examination.
Part IV-C, dated 20.6.1991, p. 41, [Substituted by Rajasthan
dt 1-2-1991 [20-6-1991]] Notification No. G.S.R. 41, dated
6.7.2012.]and(B) "O" or Higher
Level Certificate Course
conducted by DOEACC under
control of the Department of
Electronics, Government of
India.orComputer Operator &
Programming Assistant
(COPA)/Data preparation and
Computer Software (DPCS)
certificate organised under
National/State Council of
Vocational Training
Scheme.orDiploma in Computer
Science/Computer Applications
from a University established by
law in India or from an
institution recognised by the
Government.orDiploma in
Computer Science & Engineering
from a polytechnic institution
recognised by the
Government.orRajasthan State
Certificate Course in Information
Technology (RSCIT) conducted

by Vardhaman Mahaveer Open
University, Kota under control of
Rajasthan Knowledge
Corporation Limited.]

6. Auctioneer

[-do-] [Substituted by Notification (A) [Senior Secondary from a -do-
No. F. 17(38)/Agriculture-1/89, recognised Board or its
dated 1.2.1991-Rajasthan Gazette, equivalent examination.
Part IV-C, dated 20.6.1991, p. 41, [Substituted by Rajasthan
dt 1-2-1991 [20-6-1991]] Notification No. G.S.R. 41, dated
6.7.2012.]and(B) "O" or Higher
Level Certificate Course
conducted by DOEACC under
control of the Department of
Electronics, Government of
India.orComputer Operator &
Programming Assistant
(COPA)/Data preparation and
Computer Software (DPCS)
certificate organised under
National/State Council of
Vocational Training
Scheme.orDiploma in Computer
Science/Computer Applications
from a University established by
law in India or from an
institution recognised by the
Government.orDiploma in
Computer Science & Engineering
from a polytechnic

institution recognised by the Government. or Rajasthan State Certificate Course in Information Technology (RSCIT) conducted by Vardhaman Mahaveer Open University, Kota under control of Rajasthan Knowledge Corporation Limited.]

[6A Driver] [Inserted by Notification No. F. 10(28)/Agriculture/Group 2B/78, dated 4.8.1986-Rajasthan Gazette, Extraordinary, Part IV-C, dated 5.8.1986, p. 107, dt 4-8-1986.] 90% direct recruitment 10% by promotion

Educated upto VIII class with heavy & light duty driving Licence and 3 years experience as Driver and must also possess the following :- (i) Weight not more than 65kg (ii) Sight 6x6 with or without glasses. (iii) Knowledge of roadside repairs and efficiency in driving to be examined through a trade test by the Appointing Authority.

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7. Class IV Servants (1) (a) Daftari (b) Jamadar (2) (a) Peons (b) Farrash (c) Chowkidar 100% by promotion-do-100% by direct recruitment

Knowledge of reading and writing in Hindi or Vth class Pass from recognised institution-do-

1. Pe
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100% by direct recruitment	Literate and knowledge for gardening work	-	-
(3) [Gardener] [Added by Notification No. F. 15(24)/Agriculture/Group-2/85, dated 30.7.1996-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 3.8.1996, p. 91(2), vide G.S.R. 45, enforced w.e.f. 30.7.1996 = 1996 RSCS/Part II/P. 369/H. 454 w.e.f 30.7.1996.]			
Group – B (Accounts)			
8. Accountant	60% by promotion 40% by direct recruitment	Degree in Arts/Science/Commerce from a recognised University	Junior
9. Junior Accountant	[100 by direct recruitment] [Substituted by Notification No. F. 10(28)/Agriculture/II/B/78, dated 20.9.1986-Rajasthan Gazette, Extraordinary, Part IV-C, dated 20.9.1986, p. 117, dated 20-9-1986.]	Degree in Arts/Science/Commerce from a recognised University	Senior (UD)
Group – C (Technical)			
10. Senior Draftsman	100% by promotion	-	Junior
11. Junior Draftsman	50% by promotion & 50% by direct recruitment	Hr. Secondary with Diploma or Certificate of Civil Draftsman from recognised Institution	Tracer
12. Tracer	90% by direct recruitment and 10% by promotion	Secondary pass with drawing or with intermediate grade drawing Examination Certificate	Ferr
13. Ferroman	100% by direct recruitment	VIII Class pass from recognised School/Institution	-
14. [Pump Operator Grade -II] [Added by Notification No. F.	100% by direct recruitment	I.T.I. Certificate	-

15(24)/Agriculture/Group-2/85,
dated 30.7.1996-Rajasthan
Gazette, Extraordinary, Part
IV-C(I), dated 3.8.1996, p. 91(2),
vide G.S.R. 45, enforced w.e.f.
30.7.1996 = 1996 RSCS/Part
II/P. 369/H. 454 w.e.f.
30.7.1996.]

15. Electrician Grade-II -do-
Appendix 'B'(See Rule 53)Discipline and Appeal Rules

I.T.I. Certificate in relevant trade -

1. The following penalties may, for good and sufficient reasons and as hereinafter provided, be imposed upon an employee of the, market committee-

(i)Censure;(ii)Withholding of increments or promotion;(iii)Reduction to a lower post or time scale or to a lower stage in a time scale;(iv)Removal from the service;(v)Dismissal from the; service.Note. - The Discharge-(a)of an employee engaged under contract for a specific period on the expiration of such period in accordance with the terms of his contract;(b)of an employee appointed in a temporary capacity otherwise than under a contract in accordance with the general conditions of service applicable to temporary employee;(c)of an employee for inefficiency due to failure to conform to the requisite standard of Physical fitness;(d)of an employee on reduction of establishment;(e)of an employee who is liable to discharge for failure to attain qualification under the conditions of his service;(f)of an employee remaining absent without permission for more than a month does not amount to removal or dismissal within the meaning of this order.Note 2. - Posts vacated by employee dismissed or removed from service shall not be filled except on an ad hoc basis until the expiry of 6 months from the date of dismissal or removal or if an appeal has been preferred, until a final decision thereon has been reached, whichever is later;Note 3. - Dismissal from service shall disqualify the employee from further employment but removal from service shall not be considered as disqualification.

2. Authorities competent to impose penalties. - (I) Penalties specified in [items No. (ii), (iii) (iv) and (v)] [Substituted by Notification No. F. 15(24)/Agriculture/Group-2/85, dated 28.2.1996-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 2.3.1996, p. 221, vide G.S.R. 101, enforced w.e.f. 28.2.1996 = 1996 RSCS/Part II/P. 181/H. 229, w.e.f. 28.2.1996.] of Para 1 above viz. reduction in rank, removal from service or dismissal from service and withholding of increments or promotions shall not be imposed by the Secretary of the Market Committee until prior approval from the Officer to whom the powers are delegated by the [Director] [Substituted by Notification No. F. 10(28) Agriculture/Group-II/78, dated 7.6.1980-Rajasthan Gazette,

Extraordinary, Part IV-C, dated 7.6.1980, p. 85, dated 7.6.1980.] has been received by it.

(II) The Secretary of the Market Committee shall be competent to impose the penalty of censure specified in item (i) of the Para 1 above of an employee upto the rank of Junior clerk. In respect of other categories of employees, such penalty shall be imposed by the market committee.

3. Removal/Dismissal from service etc. - An employee shall be liable to be removed or dismissed from service or reduced to a lower post or time scale or to a lower stage in a time scale, if found guilty of the following Acts of major misconduct:-

(a) Conviction by a criminal court in an offence of Indian Penal Code or by a Court-martial; or (b) Insolvency or habitual indebtedness; or (c) Obtaining employment by concealment of his antecedents, which would have prevented him employment in the Market Committee had they been made known before his appointment to the authority; or (d) Misbehaviour with the departmental officers; or (e) In-subordination or disobedience, whether or not in combination with another of any lawful and reasonable order of superiors; or (f) Theft, fraud or dishonesty in connection with the employers business or property or the theft of property of another employee within the premises of the establishment; or (g) Taking or giving bribe or any illegal gratification; or (h) Habitual absence without leave; or (i) Going to an illegal strike or abetting, inciting, instigating or acting in furtherance thereof or resort to hunger strike; or (j) Wilful slowing down in a performance of work or abetment or instigation thereof; or (k) Drunkenness, intoxication or indecent behaviour in the premises of the establishment; or (l) Commission of an act subversive of discipline; or (m) Gross neglect of work or habitual negligence; or (n) Wilful damage to work in progress or to any property of the establishment; or (o) Gambling within the premises of the establishment; or (p) Refusal to accept a charge sheet, order or other communication served, in accordance with these rules; or (q) Taking out of the establishment any article or material belonging to the establishment without permission; or (r) Engaging of private work or trade; or (s) Any act of omission or commission amounting to misbehaviour in the opinion of the disciplinary authority.

4. Procedure for Removal/Dismissal from Service etc. - When an employee is charged with a misbehaviour, the maximum penalty for which is reduction in rank, removal or dismissal from service the penalty shall be imposed only after an enquiry held in the manner hereinafter provided-

(i) Definite charges shall be framed and served in writing on the employee concerned, calling upon him to show cause why he should not be reduced in rank or dismissed or removed from service or punished with lesser penalties specified in these rules. He shall be required to submit within such time as may be specified which shall ordinarily be not less than 15 clear days from the date he receives the charge sheet, a written explanation and also to state whether he desired to be heard in person; (ii) The explanation furnished by the employee on the charge sheet shall be considered by the

officer competent under these rules, to pass an order of reduction in rank or removal or dismissal who, unless he takes steps for holding departmental enquiry, shall thereupon pass such orders as he thinks fit;(iii)If the employee asked to be heard in person or if the officer competent to pass an order of reduction in rank or removal or dismissal considers that the employee should be examined in person, he shall cause a departmental enquiry be held. The employee if he so desires may present his case with the assistance of co-workers. The employee shall be given all reasonable facilities for the conduct of his defence, including the cross examination of witnesses;(iv)For the purpose of preparation of his defence, the employee shall be permitted to inspect and take extracts from such records, as he may specify provided that such permission may be refused,for the reasons to be recorded in writing such records are not relevant for the purpose;(v)At such an enquiry a definite charge shall be framed and explained to the employee in respect of each offence which has not been admitted by him, and the evidence in support of as well as his defence, along with any evidence which he may adduce in defence shall be recorded in his presence;(vi)The report of the enquiry and the findings of each of the charge with reasons, thereof shall be prepared;(vii)The report of enquiry shall be considered and finding on each charge shall be recorded;(viii)The employee shall be supplied with the report and the findings and given a notice stating the action proposed to be taken against him and calling upon him to submit within a specified time, such representation as he may wish to make against the proposed action;(ix)Appropriate orders thereon shall be passed taking into consideration the representation so made, if any and communicated to the employee in writing. Provided that in a awarding punishment, the officer competent to pass an order of dismissal or removal or reduction in rank shall take into account, the gravity of the offence the previous record, if any, of the employee and other extenuating or aggravating circumstances that exist;(x)If he refuses to accept a charge-sheet, order or other communications served in accordance with these orders and provided that he has been asked to accept the charge-sheet etc., in the presence of at least two witnesses, he shall be told verbally the time and place at which the enquiry into his alleged mis-conduct is to be held and if he refuses or fails to attend at the time of enquiry shall be concluded ex-parte.

5. (a) An employee whose conduct is undergoing investigation on a charge, the maximum penalty for which is reduction in tank, or dismissal or removal from service may at the discretion of the competent authority be kept under suspension until his case has been finally decided. The period of suspension under this sub-clause shall not ordinarily exceed four months;

(b)Subsistence Grant. - An employee under suspension shall be entitled to the following payments, namely:-Subsistence allowance at an amount equal to the salary which an employee would have drawn if he had been on leave on half pay and in addition Dearness Allowance based on such leave salary:Provided that where the period of suspension exceeds six months the authority which made or is deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any period subsequent to this period of the first six months as follows:-(i)the amount of subsistence allowance may be increased by a suitable amount, not exceeding to 50 percent of the subsistence allowance admissible during the period of the first six months if, in the opinion of the said authority, the period of suspension has been prolonged for

reasons to be recorded in writing not directly attributable to an employee.(ii)the amount of subsistence allowance may be reduced by a suitable amount, not exceeding 50 percent of the subsistence allowance admissible during the period of the first six months if, in the opinion of the said authority, the period of suspension recorded in writing, directly attributable to an employee.(iii)the rate of dearness allowance will be based on the increased or, as the case may be the decreased amount of subsistence allowance admissible under sub clauses (i) and (ii) above.(iv)any other compensatory allowance admissible from, time to time on the basis or pay which an employee was in receipt on the date of suspension subject to the fulfilment of other conditions laid down for the drawn of such allowance.(v)no payment under sub-clause (i) shall be made unless an employee furnishes a certificate, that he is not engaged in any other employment, business, profession or vocation.(c)If as a result of the enquiry held or explanation tendered it is decided not to take any action against the employee, he shall be deemed to have been on duty and shall be entitled to full salary minus such subsistence allowance as has already been drawn and all other privileges for the period of suspension.(d)If at a result of the enquiry, the suspended employee is awarded punishment other than dismissal or discharge, the disciplinary authorities shall be competent to pass such orders as it thinks necessary for award of salary for the period of suspension.

6. Procedure for imposing other penalties. - (1) The penalties specified in item (i) and (ii) of para 1 above may be imposed on any employee in the following circumstance -

(a)Absence without leave without sufficient cause;(b)Unpunctual or irregular attendance;(c)Neglect of work or negligence in performing duties;(d)Breach of any rule of business of the establishment or instructions for the running of the establishment;(e)Committing nuisance on the premises of the establishment.(2)Before an order imposing a penalty specified in item (i) and (ii) of para 1 above in the circumstances, mentioned in sub-clause (1) above is passed against an employee, he shall be informed of the definite offences on account of which it is proposed to impose the penalty and called upon to show cause why that or lesser penalty should not be imposed. The employee shall also be given 15 days time for furnishing his explanation and be allowed reasonable facilities for the preparation of his defence.

7. With-Holding of increments. - In ordering the with-holding of an increment the competent authority shall state the period for which it is withhold and whether the postponement shall have the effect of postponing future increment.

8. Reduction to a lower post. - When an employee is reduced for misconduct to a lower post or time scale, or to a lower stage in a time scale, the authority ordering the reduction shall state the period for which it is effective and whether on expiry of that period, it shall operate to effect the employee's seniority and if so to what extent and with or without accumulative effect.

9. Appeals. - (1) Penalties specified in [x x x] [Omitted by Notification No. F. 15(24)/Agriculture/Group-2/85, dated 28.2.1996-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 2.3.1996, p. 221, vide G.S.R. 101, enforced w.e.f. 28.2.1996 = 1996 RSCS/Part II/P. 181/H. 229 w.e.f. 28.2.1996.] para 1 above shall be appealable;

(2)When any of penalties specified in [x x x] [Omitted by Notification No. F. 15(24)/Agriculture/Group-2/85, dated 28.2.1996-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 2.3.1996, p. 221, vide G.S.R. 101, enforced w.e.f. 28.2.1996 = 1996 RSCS/Part II/P. 181/H. 229 w.e.f. 28.2.1996.] para 1 above is imposed upon an employee, an appeal shall lie to [Director] [Substituted by Notification No. F. 10(28) Agriculture/Group-II/78, dated 7.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 7.6.1980, p. 85, dated 7.6.1980.],(3)When the appellate authority imposes a higher penalty than the one appealed against a second appeal shall lie to the State Government provided that no such second appeal shall lie if the higher penalty imposed by the appellate authority is within the competence of the authority who imposed the original penalty on the employee.(4)An appeal against an appealable punishment, shall be preferred within 60 days of the passing of order. Decision of the appellate authority shall be passed within two months of the filing of the appeal and such a decision shall be final and binding on the employee.

10. Procedure for submission and disposal of appeals. - (1) Every employee preferring an appeal shall do so separately and in his own name.

(2)Every appeal preferred under this chapter shall contain all material statement relied upon by the appellant and shall contain no disrespectful or improper language and shall be complete in itself.(3)Every such appeal shall be addressed to the authority to whom the appeal is preferred through the authority against whose order the appeal is preferred and shall be submitted by such authority to the appellate authority within a period of Seven days.(4)The authority to whom an appeal lies under this chapter shall decide it himself and shall pass such orders as he thinks fit.(5)If the appellate authority proposes to change the penalty imposed by the subordinate authority, the former shall before passing such order, ensure that the procedure prescribed in this chapter is or has been complied with.Appendix 'C'(See Rule 60)Determination of Seniority in the Event of Transfer from One Market Committee to Another

1. Such transfers shall be considered as permanent transfers and employees transferred in such cases shall take their position in the respective seniority lists of the new Market Committee, after taking into account their past continuous service, which counts for seniority in that category in the old market committee as hereinafter stated.

2. In the event of temporary transfer of any employee from one market committee to another, in the interest of the organisation i.e. when the transfer has been made for a short period but has not been made in connection with the transfer of work, such transfers shall be considered purely temporary and the seniority of the employee shall be maintained in the present market committee.

3. An employee transferred to another market committee at his own request will not be given benefit of past service in the new market committee for the purpose of seniority only. His past service, however, counts for benefits due under rule, at the time of termination of service.

4. Seniority of employee declared surplus in one market committee but absorbed in another market committee to save them from retrenchment shall be determined in the manner viz;

(i) If such an employee is already permanent, he will retain his seniority amongst permanent worker of his category; (ii) If an employee is temporary, he shall not be allowed to count his past service for seniority in the new market committee but will be placed at the bottom of the list of temporary employees of his category for this purpose. His past service will, count for terminal benefits.

5. Correct seniority lists shall be maintained by the regional officer for purposes of promotions as well as retrenchments.