

Rajasthan Lokayukta Sachivalaya Officers (Conditions of Service) Rules, 2013

RAJASTHAN

India

Rajasthan Lokayukta Sachivalaya Officers (Conditions of Service) Rules, 2013

Rule

RAJASTHAN-LOKAYUKTA-SACHIVALAYA-OFFICERS-CONDITIONS-OF 2013

- Published on 30 July 2013
- Commenced on 30 July 2013
- [This is the version of this document from 30 July 2013.]
- [Note: The original publication document is not available and this content could not be verified.]

Rajasthan Lokayukta Sachivalaya Officers (Conditions of Service) Rules, 2013Published vide Notification No. G.S.R. 37, dated 30.7.2013G.S.R. 37. - In exercise of the powers conferred by sub-section (2) of section 14 read with section 21 of the Rajasthan Lokayukta and Up-Lokayukta Act, 1973 (Act No. 9 of 1973), the Governor of Rajasthan, in consultation with the Lokayukta, hereby makes the following rules regulating the conditions of service of Officers of the Lokayukta Sachivalaya, namely:Part-I General

1. Short title and commencement.

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

2. Definitions.

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

5 of the Act;(f)"member of the service" means a person appointed in a substantive capacity to a post in the service under the provisions of these rules or under any rules or orders superseded by these rules;(g)"Rajasthan Lokayukta Sachivalaya Ministerial Service" means the service constituted under the Rajasthan Lokayukta Sachivalaya Ministerial Service Rules, 2013;(h)"Service" means the Rajasthan Lokayukta Sachivalaya Officers Service;(i)"service" or "experience" whenever prescribed in these rules as a condition for promotion from one service to another or within the service from one category to another or to senior posts, in the case of a person holding a lower post eligible for promotion to higher post shall include the period for which the person has continuously worked on such lower post after regular selection in accordance with the rules applicable to such lower post;Note. - Absence during service i.e. training, leave, deputation etc. which are treated as "duty" under the Rajasthan Service Rules, 1951 shall also be counted as service for computing experience or service required for promotion.(j)"substantive appointment" means an appointment made under the provisions of these rules to a substantive vacancy after due selection by any of the methods of recruitment prescribed under this rules and includes an appointment on probation or as a probationer followed by confirmation on completion of the probationary period;Note. - Due selection by any of the methods of recruitment prescribed under these rules will include recruitment either on initial constitution of service or in accordance with the provisions of any rules made under any law for the time being in force except an urgent temporary appointment; and(k)"State" means the State of Rajasthan.

3. Interpretation.

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

Part II – Cadre

4. Composition and strength of the service.

(1)The nature of posts included in the service shall be as specified below:(i)Selection Scale Post: Deputy Secretary(ii)Senior Scale Posts : (a) Assistant Secretary (b) Private Secretary(iii)Ordinary Scale Posts : (a) Librarian (b) Section Officer.(2)The Strength of post in each grade shall be such as may be determined by the Government, in consultation with the Lokayukta, from time to time:Provided that the Lokayukta may, by order, direct that -(a)any post be kept unfilled or be held in abeyance, from time to time, without thereby entitling any person to any compensation;(b)the post of the Deputy Secretary be filled by appointing the officers of the Government drawing pay in the pay scale equal to that of the Deputy Secretary to the Government in consultation with the Government or the officer of the Rajasthan Judicial Service of the rank of an Additional District Judge or a Chief Judicial Magistrate, in consultation with the Chief Justice of the High Court or by promotion in accordance with these rules;(c)the post of Assistant Secretary be filled by appointing an officers of the Government drawing pay in the pay scale equal to that of the Assistant Secretary to the Government in consultation with the Government or an officer of the Rajasthan Judicial Service of the rank of an Additional Chief Judicial Magistrate or a Judicial Magistrate, in consultation with

the Chief Justice of the High Court or by promotion in accordance with these rules;(d)the post of Private Secretary be filled by appointing an officer of the Government drawing pay in the pay scale equal to that of the Private Secretary to the Government in consultation with the Government or an officer of the Rajasthan Judicial Service of the rank of an Additional Chief Judicial Magistrate or a Judicial. Magistrate, in consultation with the Chief Justice of the High Court or by promotion in accordance with these rules;(e)the post of Librarian/Section Officer be filled by appointing a member of any other service under the Government or the High Court, holding a corresponding post in that service, in consultation with the Government or by promotion in accordance with these rules;(f)a post in the service be filled by a retired officer of the appropriate rank or grade;Provided further that one post of Deputy Secretary shall be filled by promotion in accordance with these rules.

5. Constitution of Service.

- The service shall consist of -(a)all persons holding substantively the posts specified above on the date of commencement of these rules;(b)all persons recruited to the service before the commencement of these rules; and(c)all persons recruited to the service in accordance with the provisions of these rules.Part-III Recruitment

6. Methods of recruitment.

- Appointment to a post in the Service may be made in following manner: -(a)by appointing a member of any service under the Government or of the Rajasthan Judicial Service on transfer basis; or(b)by appointing a retired officer; or(c)by promotion in accordance with these rules.Part-IV Appointment by Transfer or of Retired Officers

7. Appointment by transfer.

(1)When a post in the service is directed to be filled by appointing a member of any other service, the Appointing Authority shall, in consultation with the Government or the Chief Justice of the High Court, as the case may be, make appointment thereto from amongst the officers eligible to hold the post.(2)An appointment under this rule shall be for a period of one year which may extended from time to time in consultation with the Government or the Chief Justice of the High Court, as the case may be:Provided that if the Appointing Authority considers it necessary to do so, he may relieve an officer appointed under this rule of his duties at any time without assigning any reason and the officer shall stand repatriated to his parent cadre with effect from the date on which he is relieved.(3)An officer appointed under this rule shall be entitled to the same pay and dearness allowance as are admissible to him in his parent cadre.(4)An officer appointed under this rule shall also be entitled to such special pay and other allowances and facilities as are admissible to an officer of the Government of equivalent cadre.(5)All other conditions of service of an officer appointed under this rule shall be such as are applicable to him in his parent cadre except that his disciplinary authority during his tenure under these rules shall be the Secretary to the Lokayukta or such other officer subordinate to the Lokayukta as may be specified by him.

8. Appointment of retiree, officer.

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

9. Eligibility for promotion.

(1)Eligibility for promotion on different posts in the service shall be as follows: -(a)for the post of Deputy Secretary, such of the Private Secretaries and Assistant Secretaries in the service shall be eligible who have completed five years service on the post and are otherwise fit for promotion.(b)for the post of Assistant Secretary, such of the Section Officers in the service shall be eligible who have completed five years service on the post and are otherwise fit for promotion.(c)for the post Private Secretary, such of the Additional Private Secretaries in the Rajasthan Lokayukta Sachivalaya Ministerial Service shall be eligible who have completed three years service on the post and are otherwise fit for promotion.(d)for the post Librarian, such of the Assistant Librarian in the Rajasthan Lokayukta Sachivalaya Ministerial Service shall be eligible who have completed five years service on the post and are otherwise fit for promotion;(e)for the post Section officer, such of the Assistant Section Officer in the Rajasthan Lokayukta Sachivalaya Ministerial Service shall be eligible who have completed three two service on the post and are otherwise fit for promotion.(2)A person appointed by transfer from other service or a retired officer appointed in the service shall not be eligible for promotion on any post in the service.(3)The selection committee for the purpose of the selection by promotion under these rules shall consist of the following:(a)Principal Secretary to the Lokayukta - Chairperson(b)Secretary to the Lokayukta - Member(c)Deputy Secretary to the Lokayukta - Member SecretaryPart-VI Miscellaneous

10. Application of Rajasthan Secretariat Service Rules and other rules, etc.

- Save as otherwise provided in these rules, the Rajasthan Secretariat Service Rules, 1954, and the Rajasthan Secretariat Librarian (State and Subordinate) Service Rules, 1997, as amended from time to time, and all other rules, orders, circulars etc., issued by the Government from time to time to regulate the services of the corresponding officers of the Rajasthan Secretariat Service and the Rajasthan Secretariat Librarian State Service shall, mutatis mutandis, apply to the member of service.

11. Code of conduct.

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

12. Repeal and saving.

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