

The Rajasthan Civil Services (Special Selection and Special Conditions of Service of Additional Superintendent of Police, Deputy Superintendent of Police and Others in the Anti-Corruption Department) Rules, 1978

RAJASTHAN

India

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Rule

THE-RAJASTHAN-CIVIL-SERVICES-SPECIAL-SELECTION-AND-SPEC of 1978

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The Rajasthan Civil Services (Special Selection and Special Conditions of Service of Additional Superintendent of Police, Deputy Superintendent of Police and Others in the Anti-Corruption Department) Rules, 1978Published vide Notification No. F. 5 (2) DOP/A-2/78 dated 22nd December, 1978In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Rajasthan hereby makes the following Rules laying down the procedure for Special Selection and Special Condition of service for appointment as Additional Superintendent of Police, Deputy Superintendent of Police and others in the Anti-corruption Department, namely :-

1. Short title and commencement.

(1)These Rules may be called the Rajasthan Civil Services (Special Selection and Special Conditions of service of Additional Superintendent of Police, Deputy Superintendent of Police and others in the Anti-corruption Department) Rules, 1978.(2)These rules shall apply from the date of publication in the Rajasthan Rajpatra.

2. Scope and application.

- These Rules shall apply to the appointment of Additional Superintendent of Police, Deputy Superintendent of Police and others specified in Schedule I, in the Anti-Corruption Department in the State.

3. Definitions.

- In these Rules, unless the context otherwise requires:-(a)"Appointing Authority" means the Government of Rajasthan in respect of the Additional Superintendent of Police and the Deputy Superintendent of Police and the Inspector General of Police, Rajasthan in respect of Inspector of Police, Sub-Inspector of Police, Assistant Sub-Inspector of Police and Head Constable in the Anti-Corruption Department;(b)"Committee" means the Committee referred to in Rule 9;(c)"Government" and "State" mean respectively the Government of Rajasthan and the State of Rajasthan; and(d)"Schedule" means the Schedule appended to these Rules.

4. Interpretation.

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

5. Strength of Posts.

- The strength of Additional Superintendent of Police, Deputy Superintendent of Police and other categories of posts mentioned in column 2 of Schedule I in the Anti- Corruption Department shall be such as may be determined by the Government from time to time:Provided that the Government may:-(i)create any post, permanent or temporary, from time to time, as may be found necessary and may abolish any such post in the like manner without thereby entitling any person to any compensation;(ii)leave unfilled or hold in abeyance or allow to lapse any post, permanent or temporary, from time to time, without thereby entitling any person to any compensation.

6. Tenure.

(1)The posts of Additional Superintendent of Police, Deputy Superintendent of Police and other categories of posts mentioned in Column 2 of Schedule I in the Anti-Corruption Department shall be tenure posts and shall be held by a person for a tenure ordinarily not exceeding three years and he shall cease to hold such post after the expiry of this period:Provided that the Government may extend such period by a further period not exceeding three years.(2)All appointments to the posts of Additional Superintendents of Police, Deputy Superintendents of Police and other categories mentioned in column 2 of Schedule I in the Anti-Corruption Department shall be deemed to be on transfer from the Police Department and the officers/officials concerned shall have lien on their respective posts in the Police Department and on their reversion from such transfer they shall not

have any right to protection of pay or scale of pay or status held by them as Additional Superintendent of Police, or Deputy Superintendent of Police or others, as the case may be, mentioned in Column 2 of Schedule I in the Anti-Corruption Department unless otherwise provided in these rules.(3)The Appointing Authority may revert an officer/official holding the post of Additional Superintendent of Police or Deputy Superintendent of Police or other categories, as the case may be, mentioned in Column 2 of Schedule I in the Anti-Corruption Department to the Police Department without assigning any reasons.

7. Source of selection.

- Selection for appointment to the posts of the Additional Superintendent of Police, the Deputy Superintendent of Police and other posts, as the case may be, mentioned in Column 2 of Schedule I in the Anti-Corruption Department after the commencement of these Rules shall be made on the recommendations of the Committee from amongst the officers/officials mentioned in Column 3 of Schedule I, who hold lien on a post in the Police Department:Provided that persons holding the posts mentioned in Column 2 of Schedule I in the Police Department and who are willing to be posted in the Anti-Corruption Department, may be considered for their posting, by the Appointing Authority, on the same post in the Anti-Corruption Department subject to the condition that they shall draw pay in the pay-scale admissible to them in the Police Department.

8. Eligibility for selection.

- Selection of officers/official for appointment to the posts of the Additional Superintendents of Police, Deputy Superintendents of Police and other posts, as the case may be, mentioned in Column 2 of Schedule I shall be made from amongst the officers/officials mentioned in Column 3 of Schedule I, who fulfill the minimum conditions of eligibility mentioned in Column 4 and 5 of Schedule I and are holding the post after regular recruitment and selection in the scale of pay specified in Column 3 of Schedule I or scale which may be declared equivalent by the Government.

9. Selection Committee.

(1)Selection to the posts of Additional Superintendent of Police and to the posts of Deputy Superintendent of Police in the Anti-Corruption Department shall be made by a Committee consisting of the following :-

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| 1. | Chief Secretary to the Government | Chairman |
| 2. | Commissioner for Home Affairs and Secretary to the Government,Home department | Member |
| 3. | Special Secretary to the Government in the Department ofPersonnel and Administrative Reforms. | Member. |

4. Inspector General of Police, Rajasthan Member.
 5. [[Substituted vide Notification No. F. 5 (2) DOP/A-II/78 dated 2-12-1981, published in R. G. Part IV (C) (I) dated 10-12-1981 page 355, for the words '5. Additional Inspector , Anti-Corruption Department, Rajasthan Member'.] Special Inspector General of Police, Anti-CorruptionDepartment, Rajasthan [Substituted vide Notification No. F. 5 (2) DOP/A-II/78 dated 2-12-1981, published in R. G. Part IV (C) (I) dated 10-12-1981 page 355, for the words '5. Additional Inspector , Anti-Corruption Department, Rajasthan Member'.] Member.] [Substituted vide Notification No. F. 5 (2) DOP/A-II/78 dated 2-12-1981, published in R. G. Part IV (C) (I) dated 10-12-1981 page 355, for the words '5. Additional Inspector , Anti-Corruption Department, Rajasthan Member'.]
 6. Deputy Secretary to the Government, Home Department Member-Secretary
- (2)Selection to the posts of Inspectors of Police and to the posts of Sub-Inspectors of Police in the Anti-Corruption Department shall be made by a Committee consisting of the following :-
1. Commissioner for Home Affairs and Secretary to the Government,Home Department Chairman
 2. Special Secretary to the Government in the Department ofPersonnel and Administrative Reforms Member
 3. [[Substituted vide Notification No. F. 5 (2) DOP/A-II/78 dated 2-12-1981, published in R. G. Part IV (C) (I) dated 10-12-1981 page 355, for the words '3. Additional Inspector , Anti-Corruption Department, Rajasthan Member'.] Special Inspector General of Police, Anti-CorruptionDepartment, Rajasthan. [Substituted vide Notification No. F. 5 (2) DOP/A-II/78 dated 2-12-1981, published in R. G. Part IV (C) (I) dated 10-12-1981 page 355, for the words '3. Additional Inspector , Anti-Corruption Department, Rajasthan Member'.] Member] [Substituted vide Notification No. F. 5 (2) DOP/A-II/78 dated 2-12-1981, published in R. G. Part IV (C) (I) dated 10-12-1981 page 355, for the words '3. Additional Inspector , Anti-Corruption Department, Rajasthan Member'.]
 4. Deputy Inspector General of Police (Headquarters) or arepresentative of the Inspector General of Police not below therank of Assistant Inspector General of Police Member-Secretary

(3)Selection to the posts of Assistant Sub-Inspectors of Police and to the posts of Head Constables in the Anti-Corruption Department shall be made by a Committee consisting of the following:-

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| 1. [[Substituted vide Notification No. F. 5 (2) DOP/A-II/78 dated 2-12-1981, published in R. G. Part IV (C) (I) dated 10-12-1981 page 355, for the words '1. Additional Inspector , Anti-Corruption Department, Rajasthan Member'.] | Special Inspector General of Police, Anti-CorruptionDepartment, Rajasthan [Substituted vide Notification No. F. 5 (2) DOP/A-II/78 dated 2-12-1981, published in R. G. Part IV (C) (I) dated 10-12-1981 page 355, for the words '1. Additional Inspector , Anti-Corruption Department, Rajasthan Member'.] | Chairman.] [Substituted vide Notification No. F. 5 (2) DOP/A-II/78 dated 2-12-1981, published in R. G. Part IV (C) (I) dated 10-12-1981 page 355, for the words '1. Additional Inspector , Anti-Corruption Department, Rajasthan Member'.] |
| 2. | Deputy Secretary to the Government in the Home (Police)Department. | Member. |
| 3. | Deputy Inspector General of Police, Anti-CorruptionDepartment, Rajasthan. | Member. |
| 4. | Deputy Inspector General of Police (Headquarters) or arepresentative of the Inspector General of Police not below therank of the Assistant Inspector General of Police | Member-Secretary |

10. Criteria for selection.

(1)Selection to the posts of the Additional Superintendent of Police and the Deputy Superintendent of Police in the Anti-Corruption Department shall be made by the Committee after an interview out of eligible officers having regard to :-

1. Integrity.

2. Personality and character;

3. Legal and practical knowledge of Police investigations and enquiries;

4. Tact, intelligence and energy;

5. Past experience; and

6. Previous record of service.

(2)Selection to posts other than the post of Additional Superintendent of Police and Deputy Superintendent of Police mentioned in column 2 of Schedule I in the Anti-Corruption Department shall be made by the Committee concerned after considering the record of service of the eligible officials having regard to -

1. Integrity.

2. Personality and character;

3. Legal and practical knowledge of Police investigations and enquiries;

4. Tact, intelligence and energy;

5. Past experience.

11. Determination of vacancies.

- The Appointing Authority concerned shall determine each year the number of vacancies anticipated to be filled in each category of posts mentioned in column 2 of Schedule I in the Anti-Corruption Department during the next twelve months or as and when such contingency arises.

12. Procedure for selection.

(1)(a)As soon as it is decided that selection is to be made to fill a certain number of vacant posts of the Additional Superintendent of Police and the Deputy Superintendent of Police in the anti-Corruption Department from amongst the officers mentioned in Column 3 of Schedule I, the Deputy Secretary to the Government in Home Department shall send a letter to the Inspector General of Police, Rajasthan. The Inspector General of Police, Rajasthan shall invite applications from all eligible officers mentioned in column 3 for the post of Additional Superintendent of Police and Deputy Superintendent of Police respectively mentioned in Column 2 of Schedule I by a prescribed date and shall send the applications to the Deputy Secretary to the Government in the Home Department alongwith a list of eligible officers together with their Annual Confidential Rolls and other service record.(b)As soon as it is decided that selection is to be made to fill a certain number of vacant posts mentioned in Column 2 of Schedule I, other than the posts of Additional Superintendent of Police and the Deputy Superintendent of Police, in the Anti- Corruption Department from amongst the officials mentioned in Column 3 of Schedule I, the Additional Inspector General of Police, Anti-Corruption Department, Rajasthan shall send a letter to the Inspector General of Police, Rajasthan. The Inspector General of Police, invite applications from all eligible officials mentioned in Column 3 against each of the posts mentioned in Column 2 of Schedule I respectively, for posts other than that of Additional Superintendent of Police and the Deputy Superintendent of Police, by a prescribed date and shall send the applications to the Member-Secretary concerned of the Committee alongwith the Annual Confidential Rolls and other record of the eligible officials whose names are included in the list.(2)On receipt of the applications alongwith the Annual Confidential Rolls and other record of the officers/officials whose names are included in the list under sub-rule (1) (a) and sub-rule (1) (b) above, the Member-Secretary of the Committee concerned shall place the same before the Committee concerned referred to in rule 9 which shall select a number of candidates equal to the number of vacancies likely to be filled in, in

the order in which names are arranged by the Committee: Provided that the Committee may, if suitable persons are available, keep on reserve list of more candidates whose number shall not exceed 50% of the vacancies determined. The names of such candidates may be considered by the Appointing Authority concerned if such vacancies actually occur within six months from the date of selection.

13. Appointment.

- Appointment to the post mentioned in Column 2 of Schedule I in the Anti-Corruption Department shall be made by the Appointing Authority concerned from amongst the officers/officials included in the list prepared under sub-rule (2) of rule 12 of these rules, in the order in which the names are arranged by the Committee.

14. Pay and other conditions.

- The scale of pay and initial pay admissible and other conditions relating to the increase of pay on promotion in the parent cadre and retirement benefits admissible to the officers/officials mentioned in Column 2 of Schedule I shall be as laid down in Schedule II and shall be such as may be sanctioned by the Government from time to time.

15. Removal of doubts.

- If any doubt arises relating to the application, interpretation and scope of these rules, it shall be referred to the Government in the Department of Personnel and Administrative Reforms (Rules) whose decision thereon shall be final.

16. Repeal and Savings.

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

I

| S.No. | Name of the post | Name of post from which selection is to be made | Scale of pay for post mentioned in Column 3 | Minimum experience for selection to the post mentioned in column 2 |
|-------|------------------|---|---|--|
|-------|------------------|---|---|--|

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|----|---|-----------------------------------|-----------------------------------|---|
| 1. | Additional Superintendent of Police, Anti-Corruption Department | Deputy Superintendent of Police | Rs. 750-30-1020-40-1300-50-1350 | 5 years experience on the Post mentioned in Column 3. |
| 2. | Deputy Superintendent of Police, | Inspector of Police | Rs. 620-20-760-25-1010-30-1100 | -do- |
| 3. | Inspector of Police, Anti-Corruption Department | Sub-Inspector of Police | Rs. 450-10-490-20-770 | -do- |
| 4. | Sub-Inspector of Police, Anti-Corruption Department | Assistant Sub-Inspector of Police | Rs. 355-10-415-15-550-20-570 | -do- |
| 5. | Assistant Sub-Inspector of Police, Anti-Corruption Department | Head Constable of Police | Rs. 280-6-292-8-340-10-410-15-455 | -do- |
| 6. | Head Constable of Police, Anti-Corruption Department | Constable of Police | Rs. 250-4-270-6-300-8-340-10-360 | -do- |

II

(See Rule 14)(1)Scale of Pay. - (i) On appointment to the post mentioned in Column 2 of the table herein below the pay of the officer shall be fixed in the scale laid down in Column 3 of the table at the stage equal to the pay notionally arrived at by increasing the actual pay drawn by him in the existing post (in substantive or officiating capacity) by a sum of money as indicated in Column 4 of the table and in case there is no such equal stage then on the next higher stage. Table

| 1 | 2 | 3 | 4 |
|----|---|-------------------------------|-----------|
| 1. | Additional Superintendent of Police, Anti-Corruption Department | 1150-50-1650 | Rs. 200/- |
| 2. | Deputy Superintendent of Police, | 750-30-1020-40-1300-50-1350 | Rs. 170/- |
| 3. | Inspector of Police, Anti-Corruption Department | 620-20-760-25-1010-30-1100 | Rs. 135/- |
| 4. | Sub-Inspector of Police, Anti-Corruption Department | 450-10-490-20-770 | Rs. 100/- |
| 5. | Assistant Sub-Inspector of Police, Anti-Corruption Department | 355-10-415-15-550-20-570 | Rs. 70/- |
| 6. | Head Constable of Police, Anti-Corruption Department | 280-6-292-8-340-10-410-15-455 | Rs. 55/- |

The next increment shall accrue after completion of full incremental period counting under rule 31 of the Rajasthan Service Rules 1951.(ii)A constable of Police on transfer from the Police Department

to the Anti-Corruption Department will continue to draw his usual pay and allowance and in addition will be entitled to:

Deputation Pay @ Rs. 35.00 p.m.

and Special Pay @ Rs. 10.00 p.m.

as long as he remains on this transfer to the Anti-Corruption Department. Exception. - The officiating pay for the purpose of this rule shall mean pay drawn in officiating capacity in the existing post after regular recruitment and shall not include pay drawn on ad hoc or urgent temporary basis or on account of leave vacancy or purely as temporary basis. (2) Promotion in the parent cadre. - The Officer concerned shall be eligible to proforma promotion (Officiating or Substantive) in the parent cadre whenever an occasion arises and his pay in the parent cadre shall be arrived at after taking into consideration the period during which he would have held the promotion post but for his appointment in the Anti-Corruption Department, provided that if he is promoted as such in the pay scale similar or higher than the pay scale of the post in the Anti-Corruption Department the increment, drawn by him as such would be protected and rule 26 (2) of the Rajasthan Service Rules, 1951 shall apply in such cases also for fixation of pay. (3) Police Uniforms. - The officers/officials on transfer from the Police Department to the Anti-Corruption Department will continue to enjoy the same Police uniform benefits and allowances as admissible to police officers of the corresponding rank. (4) Pension, Provident Fund etc. - (i) if the person concerned retires while holding the post in the Anti-Corruption Department his emoluments for the purpose of calculating pension, gratuity under rule 250 (c) of the Rajasthan Service Rules, 1951, shall be taken at what he would have been entitled to, had he not been appointed on the post in the Anti-Corruption Department. (ii) If a person is a Member of the Jodhpur Contributory Provident Fund, he shall continue to subscribe to the fund on the basis of pay which he would have drawn had he not been appointed on the post in the Anti-Corruption Department. No subscription or Government Contribution to the Contributory Provident Fund shall be made on the basis of pay drawn on the post in the Anti-Corruption Department.