

The Rajasthan Lokayukta Sachivalaya Senior Officers (Conditions of Service) Rules, 1980

RAJASTHAN

India

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Rule

THE-RAJASTHAN-LOKAYUKTA-SACHIVALAYA-SENIOR-OFFICERS-C of 1980

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The Rajasthan Lokayukta Sachivalaya Senior Officers (Conditions of Service) Rules, 1980 Publication vide Notification dated 24.9.1980, Published in Rajpatra (Extraordinary), part 4(ga), dated 25.9.1980, page 171

Part 1 – General

1. Short title and commencement.

(1) These rules may be called the Rajasthan Lokayukta Sachivalaya Senior Officers (Conditions of Service) Rules, 1980. (2) These rules shall come into force from the date of publication in the Rajasthan Rajpatra.

2. Definitions.

- In these rules, unless the context otherwise requires:-(a)"Act" means the Rajasthan Lokayukta and Up-Lokayukta Act, 1973 (Rajasthan Act 9 of 1973);(b)"Government" and "State" mean respectively, the Government of Rajasthan and the State of Rajasthan;(c)"High Court " means the High Court of Judicature for Rajasthan;(d)"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;(e)"Sachivalaya" means the Rajasthan Lokayukta Sachivalaya;(f)"Secretary" and "Deputy Secretary" mean respectively the Secretary of the Lokayukta Sachivalaya and the Deputy

Secretary to the Lokayukta Sachivalaya: and(g)"Senior Officers" means the Secretary of the Lokayukta Sachivalaya and the Deputy Secretary of the Lokayukta Sachivalaya and shall include such other officers as may be declared as such from time to time by the Government.

3. Interpretation.

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

Part II – Cadre

4. Composition and strength of Senior Officers of Sachivalaya.

(1)The Sachivalaya shall consist of the following categories of posts:(i)Secretary: and(ii)deputy Secretary.(2)The strength of posts shall be such as may be determined by the government, from time to time:Provided that the Government may create any post, permanent or temporary, from time to time, as may be found necessary or leave unfilled or hold in abeyance or abolish or allow to lapse and post permanent or temporary from time to time in the like manner without thereby entitling any person to any compensation.

Part III – Recruitment

5. Method of recruitment.

(1)The post of the Secretary shall be filled by the Lokayukta from amongst I.A.S. Officers in the Senior Scale or Selection Scale in consultation with the Government or Officers of the Rajasthan Higher Judicial Service of the rank of a District judge in consultation with the Chief Justice of the High Court(2)The post of the Deputy Secretary shall be filled by the Lokayukta from amongst the officers of the Rajasthan Administrative Service in the Senior Scale [or Super Time Scale] [Inserted by the amending Notification dated March 16, 1991, Published in Rajpatra part IV(ga), dated 11.7.1991, page 50.] or Selection Scale or the Rajasthan Secretariat Service in the grade of Deputy Secretary to the Government in consultation with the Government or from amongst officers of the [H.H.J.S. of the rank of Additional District Judge or] [Inserted by the amending Notification dated March 16, 1991, Published in Rajpatra part IV(ga), dated 11.7.1991, page 50.] Rajasthan Judicial Service of the rank of Chief Judicial Magistrate or of the Rajasthan High Court service of the rank of Deputy Registrar in consultation with the Chief Justice of the High Court.

6. Scale of pay.

(1)The Secretary shall be entitled to such pay, special pay and other allowances as are admissible to an officer of equivalent status posted as Secretary to the Government or posted as District and

Sessions Judge, as the case may be. and the Deputy Secretary shall be entitled to such pay. special pay and other allowances as are admissible to an officer of equivalent status posted as Deputy Secretary to the Government or *[posted as Additional District Judge or] posted as Chief Judicial Magistrate or posted as Deputy Registrar, High Court, as the case may be.(2)All other conditions of service of the Secretary or the Deputy Secretary, as the case may be, shall be regulated in accordance with the rules or order issued under the proviso to Article 309 of the Constitution of India relating to the Service to which the Secretary or the Deputy Secretary, as the case may be, belongs.(3)A Senior Officer on his reversion from the Sachivalaya shall not be posted under direct subordination to the officers against whom complaints had been dealt with during his posting in the Sachivalaya, atleast for a period of five years from the date of his reversion from the Sachivalaya.

7. Status of the Secretary and the Deputy Secretary.

- The status of the Secretary and the Deputy Secretary of the Sachivalaya shall be that of the Secretary and the Deputy Secretary to the Government, respectively.

8. 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 and orders so repealed shall be deemed to have taken under the provisions of these rules.

9. Removal of doubts.

- If any doubt arises relating to the application and scope of these rules, it shall be referred to the Department of Personnel and Administrative Reforms and the decision of the Governor thereon shall be final.