

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

RAJASTHAN

India

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### **Rule**

### **RAJASTHAN-LOKAYUKTA-SACHIVALAYA-SENIOR-OFFICERS-COND of 2013**

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Rajasthan Lokayukta Sachivalaya Senior Officers (Conditions of Service) Rules, 2013Published vide Notification No. G.S.R. 36, dated 30.7.2013G.S.R. 36. - 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 Senior Officers appointed to the Rajasthan Lokayukta Sachivalaya, namely: -Part-I General

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

(1)These rules may be called the Rajasthan Lokayukta Sachivalaya Senior 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)"Government" means the Government 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)"Principal Secretary", "Secretary", "Joint Secretary" and "Principal Private Secretary" means respectively the

Principal Secretary, the Secretary, the Joint Secretary and Principal Private Secretary to the Lokayukta;(f)"Sachivalaya" means the 'Rajasthan Lokayukta Sachivalaya' and(g)"Senior Officers" means the Principal Secretary, the Secretary, the Joint Secretary and the Principal Private Secretary to the Lokayukta; and(h)"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 Senior Officers.**

(1)The service of senior officers shall consist of the following categories of posts, -(i)Principal Secretary;(ii)Secretary;(iii)Joint Secretary;(iv)Principal Private Secretary.(2)The strength of posts shall be such as may be determined by the Government, in consultation with the Lokayukta, from time to timeProvided 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 any 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 Principal Secretary shall be filled by the Lokayukta from amongst I.A.S. Officers drawing pay in the pay scale equal to that the Principal Secretary to the Government in consultation with the Government or officers of the Rajasthan Judicial Service of the rank of a District Judge (Super Time or Selection Scale) in consultation with the Chief Justice of the High Court.(2)The post of Secretary shall be filled by the Lokayukta from amongst I.A.S. Officers drawing pay in the pay scale equal to that of the Secretary to the Government in consultation with the Government or officers of the Rajasthan Judicial Service of the rank of a District Judge (Selection Scale) in consultation with the Chief Justice of the High Court.(3)The post of the Joint Secretary shall be filled by the Lokayukta from amongst the officers of the Government drawing pay in the pay scale equal to that of the Joint Secretary to the Government in consultation with the Government or the officer of the Rajasthan Judicial Service of the rank of a District Judge in consultation with the Chief Justice of the High Court.(4)The post of the Principal Private Secretary shall be filled by the Lokayukta from amongst the officers of the Government drawing pay in the pay scale equal to that of the Joint Secretary to the Government in consultation with the Government or the officer of the Rajasthan Judicial Service of the rank of a District Judge, in consultation with the Chief Justice of the High Court.(5)Notwithstanding anything contained in sub-rules (1) to (4), the Lokayukta, if he thinks so desirable, may fill a post of Principal Secretary, Secretary, Joint Secretary or Principal Private Secretary by a retired officer of the appropriate rank or grade.(6)No appointment under

sub-rule (5) shall be made for a period exceeding 5 years at a time and no officer appointed under said sub-rule shall hold office after the age of 70 years: Provided that if the Lokayukta considers it necessary to do so, he may terminate the services of a person appointed under this rule at any time without assigning any reasons and such person shall not be entitled to any compensation for termination of his service. (7) An officer appointed under sub-rule (5) shall be paid last drawn pay minus pension and other allowances and facilities as are admissible to an officer of the Government of equivalent status. 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.

## **6. Pay and allowances.**

(1) A serving officer appointed under these rules shall be entitled to the same pay and dearness allowance as is admissible to him in his parent cadre. (2) An officer appointed under these rules shall also be entitled to such special pay and other allowances and facilities as are admissible to an officer of the State Government of equivalent status. (3) All other conditions of service of an officer appointed under these rules 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 Lokayukta. (4) A Senior Officer on his repatriation to his parent cadre shall not be posted under direct subordination to the officer against whom complaints had been dealt with during his posting in the Sachivalaya at least for a period of five years from the date of his repatriation to his parent cadre.

## **7. Status of the Senior Officers.**

- The status of Principal Secretary, Secretary and Joint Secretary to the Lokayukta shall be that of the Principal Secretary, the Secretary and the Joint Secretary to the Government respectively and the status of the Principal Private Secretary shall be that of the Joint Secretary to the Government.

## **8. Code of conduct.**

- A Senior Officer 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.

## **9. Repeal.**

- The Rajasthan Lokayukta Sachivalaya Senior Officers (Conditions of Service) Rules, 1980 are hereby repealed.

## **10. 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 (Grade III) and the decision thereon of the Governor taken in consultation

with Lokayukta shall be final.