

Devasthan Service Rules, 2000 English
Government of Rajasthan
Department of Personnel

(A Group-II)

No. 1(3)DOP/A-II/99

Jaipur, dated 22.9.2000

In 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 regulating recruitment to post(s) in, and the conditions of Service of persons appointed to the Rajasthan Devasthan State and Subordinate Services, namely -

THE RAJASTHAN DEVASTHAN STATE AND SUBORDINATE
SERVICE RULES, 2000

PART-1

GENERAL

1. Short title and commencement:

- (i) These rules may be called the Rajasthan Devasthan State and Subordinate Service Rules, 2000.
- (ii) They shall come into force from the date of publication in the Rajasthan Rajpatra.

2. Definition: In these rules unless the context otherwise requires

- (a) "Appointing Authority" in respect of the posts included in the State Service means the Government and any other officer whom powers in this behalf may be delegated by the Government by special or general order on such condition as it may deem fit and in respect of posts included in Subordinate Service means the Commissioner, Devasthan and included such other officer or authority who may with the approval of the Government be specially empowered by the Commissioner to exercise the powers and perform the functions of the Appointing Authority.

- (b) "Commissioner" means the Rajasthan Public Service Commission.
- (c) "Committee" means a Committee constituted under rule 27.
- (d) "Commissioner" means the Commissioner, Devasthan, Rajasthan.
- (e) "Department" means Devasthan Department, Rajasthan.
- (f) "Direct Recruitment" means recruitment made according to the procedure prescribed in part-IV of these rules.
- (g) "Government" means the Government of Rajasthan.
- (h) "Member of the Service" means a person appointed substantively to a post in the service under the provisions of these rules or the rules or orders superseded by these rules and included a person placed on probation.
- (i) "Schedule" means the schedule (s) appended to these rules.
- (j) "Service" means the Rajasthan Devasthan State Service and the Rajasthan Devasthan Subordinate Service as the case may be.
- (k) "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 these rules and includes an appointment on probation or as a probationer followed by confirmation on the completion of the probationary period.

Note : Due selection by any of the methods of recruitment prescribed under these rules shall include recruitment either on initial constitution of Service or in accordance with the provisions of any rules promulgated under proviso to Article 309 of the Constitution of India except an urgent temporary appointment.

- (l) "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 (s), in the case of a person holding a lower posts (s) eligible for promotion to higher posts (s) shall include the period for which the person has continuously worked on such lower posts (s) after regular selection in

accordance with rules promulgated under proviso to Article 309 of the Constitution of India.

Note : Absence during service e.g. training, leave and 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.

(m) "State" means the State of Rajasthan, and

(n) "year" means the financial year beginning from 1st April and ending on 31st March.

3. **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.

PART-II CADRE

4. **Composition and strength of the Service:**

(1) The nature of post (s) included in each category of the service shall be as specified in column 2 of Schedule I and Schedule II as the case may be.

(2) The strength of the post in the Service shall be such as may be determined by the Government from time to time.

Provided that the Government may:

(a) create any post (s) permanent or temporary, from time to time as may be found necessary and may abolish any such post (s) in the like manner without thereby entitling any person to any compensation , and

(b) leave unfilled or hold in abeyance or abolish any post permanent or temporary, from time to time without thereby entitling any person to any compensation.

5. **Constitution of the Service:** The Service shall consist of

- (a) All persons holding substantively the post (s) specified in Schedule I and II on the date of commencement of these rules.
- (b) All persons recruited to the post (s) included in the Service before the commencement of these rules, and
- (c) All persons recruited to the Service in accordance with the provisions of these rules, except an urgent temporary appointment under rule 31.

PART-III

RECRUITMENT

6. Methods of Recruitment :

- 1. Recruitment to the post (s) in the Service after the commencement of these Rules shall be made by the following methods in proportion as indicated in column 3 and 4 of Schedule I and Schedule II as the case may be.
 - (a) by direct recruitment in accordance with the procedure prescribed in part IV of these rules.
 - (b) by promotion in accordance with the procedure prescribed in part V of these rules.

Provided that:

- (i) The post of Assistant Commissioner and Inspector Grade II shall be filled by direct recruitment through combined competitive examination to be conducted by the Commissioner in accordance with the provisions of the Rajasthan State and Subordinate. Service (Direct Recruitment by Combined Competitive Examinations) Rules, 1999.
- (ii) If the Appointing Authority is satisfied in consultation with the Commission where necessary that suitable persons are not available for appointment by either method of recruitment in a particular year appointment by the other method in

relaxation of the prescribed proportion may be made in the same manner as specified in these rules.

- (iii) The persons not covered by rule 5 who were appointed to the post (s) included in Schedule I and Schedule II on adhoc or officiating or urgent temporary basis and who have been continuously holding such post (s) for at least one year on the date of commencement of these rules shall be screened by the committee referred to in rule 27 for adjudging their suitability on the post(s) held. if they possess the requisite qualifications prescribed in these rules either for direct recruitment or for promotion or the prescribed qualification on the basis of which such person (s) were selected for adhoc/officiating/urgent temporary appointment. This provision shall be subject to the following conditions.
- (a) A person appointed on adhoc/officiating/urgent temporary basis shall not be entitled to screening for a post higher than that to which he was initially appointed. If a person senior to him on a lower post who fulfilled qualifications prescribed for the post was either not given such adhoc appointment or is not entitled to screening under this rule Seniority for this purpose shall be determined according to length of continuous service on the post.
- (b) The Committee appointed under these rules for adjudging suitability by screening either as an exception to general methods of recruitment or as initial constitution of Service may ex-gratia recommend. If any of the employees with more than three years of service on a post for which he is to be screened is not adjudged suitable and if thereafter has no right to be appointed on a lower post or such lower post being offered to him by absorption and there upon such an employee shall be treated as surplus employee under the provisions of the Rajasthan Civil Service (Absorption of Surplus Personnel) Rules, 1969 and such employee may be absorbed on the lower post on the recommendations of the committee subject to such conditions as may be laid down by it.

Note : The provisions of screening under proviso (III) above has been interned to be the first step and after exhausting the vacancies required for screened

person (s) irrespective of direct recruitment and promotion quota the direct recruitment and promotion quota shall be applied.

- (iv) 50% of the total cadre post of Deputy Commissioner shall be filled from amongst the members of senior scale Rajasthan Administrative Service Officers.
- (2) Recruitment to the Service by the aforesaid methods shall be made in such manner that the person (s) appointed to the service by each method do not at any time exceed the percentage laid down in the Rules/Schedules of the total cadre strength as sanctioned for each category from time to time.
- (3) Notwithstanding anything contained in these rules the recruitment, appointment, promotion, seniority and confirmation etc of a person who joins the Army/Air Force/Navy during an Emergency shall be regulated by such orders and instructions as may be issued by the Government from time to time, provided that these are regulated mutatis mutandis according to the instructions issued on the subject by the Government of India.

7. Reservation of vacancies for the Scheduled Castes and the Scheduled Tribes:

- (1) Reservation of vacancies for the Scheduled Castes and the 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 and merit.
- (3) In filling the vacancies so reserved the eligible candidates who are members of the Scheduled Castes and the Scheduled Tribes shall be considered for appointment in the order in which their names appear in the list prepared for direct recruitment by the Commission for post(s) falling in its purview and by the Appointing Authority in other cases and the Committee or the Appointing Authority, as the case may be, in the case of promotes, 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 non-availability of the eligible and suitable candidates amongst the Scheduled Castes and the 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 equivalent number of additional vacancies shall be reserved in the subsequent year. Such of the vacancies which remain so unfilled shall be carried forward to the subsequent three recruitment years in total and there after such reservation would lapse.

Provided that there shall be no carry forward of the vacancies in post(s) or class/category/group of post(s) in any cadre of Service to which promotions are made on the basis of merit alone under these rules.

8. **Reservation of vacancies for Other Backward Classes:** Reservation of vacancies for Other Backward Classes shall be in accordance with the orders of the Government for such reservation in force at the time of direct recruitment. In the event of non-availability of eligible and suitable candidates amongst Other Backward Classes in a particular year, the vacancies so reserved for them shall be filled in accordance with the normal procedure.
9. **Reservation of vacancies for Woman Candidates:** Reservation of vacancies for woman candidates shall be 30% category-wise in direct recruitment in the event of non-availability of the eligible and suitable woman candidates in a particular year 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 woman candidates shall be adjusted proportionately in the respective category to which the woman candidates belong.
10. **Reservation of vacancies for outstanding Sports persons-** Reservation of vacancies for Outstanding Sports persons shall be 2% of the total vacancies outside the purview of the Commission in that year earmarked for direct recruitment. In the event of non-availability of the eligible and suitable sports person in particular year, the vacancies so reserved for them shall be filled in accordance with the normal procedure and such vacancies shall not be carried forward to the subsequent year. The reservation for Sports-persons shall be treated as horizontal reservation and it shall be adjusted in the respective category to which the Sports person belong.

Explanation: "Outstanding Sports-persons" shall mean and include the Sports-persons belonging to the State who have participated individually or in team in the Sports and Games recognized by the International Olympic Committee and Indian Olympic Association or in International Championships in Badminton, Tennis, Chess and Cricket recognized by the respective National Level Association. Federation or Board with the following descriptions for each class of the Civil Services.

<u>Class of Service</u>	<u>Description</u>
Subordinate Service	Has represented India in Asian Games, Asian Championships, Common Wealth Games, World Championships, World University Games, World School Games, SAARC Games or Olympic Games where he (in an individual item) or his team (in a team event) has obtained 1st, 2nd or 3rd position

11. Nationality- A candidate for appointment to the Service must be

- (a) a citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Srilanka and East Africa Countries of Kenya, Uganda and the United Republic of Tanzania (formerly Tanganyika and Zanzibar) Zambia, Malawai, Zaire and Ethiopia with the intention of permanently settling in India.

Provided that a candidate belonging to categories (b) (c) (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Commission or other recruiting authority and

he may also provisionally be appointed subject to the necessary certificate being given to him by the Government of India.

12. Conditions of eligibility of persons migrated from other countries to India:

Notwithstanding anything contained in these rules provisions regarding eligibility for recruitment to the Service with regard to nationality age limit and fee or other concessions to a person who may migrate from other countries to India with the intention of permanently settling in India shall be regulated by such orders or instructions as may be issued by the State Government from time to time and the same shall be regulated mutatis mutandis according to the instructions issued on the subject by the Government of India.

13. Determination of Vacancies:

- (1) Subject to the provisions of these rules the Appointing Authority shall determine on 1st April every year the actual number of vacancies occurring during the year.
- (2) Where a post is to be filled in by a single method as prescribed in Schedule I and Schedule II as the case may be the vacancies so determined shall be filled in by that method.
- (3) Where a post is to be filled in by more than one method as prescribed in Schedule I and Schedule II as the case may be the apportionment of vacancies determined under sub-rule (I) above to each such method shall be done maintaining the prescribed proportion for the overall number of posts already filled in if any fraction of vacancies is left over after apportionment of the vacancies in the manner prescribed above, the same shall be apportioned to the quota of various methods prescribed in a continuous cyclic order giving precedence to the promotion quota.
- (4) The Appointing Authority 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.

14. **Age-** A candidate for direct recruitment to the post (s) in the service must have attained the age of 21 years for State Service post(s) and 18 years for Subordinate Service post(s) and must not have attained the age of 33 years on the first day of January next following the last date fixed for receipt of applications.

If a candidate would have been entitled in respect of his/her age for direct recruitment in any year in which no such recruitment was held, he/she shall be deemed to be eligible in the next following recruitment, if he/she is not overage by more than 3 years.

Provided that -

- (1) the upper age limit mentioned above shall be relaxed by 5 years in case of woman candidates and the candidates belonging to the Scheduled Castes and the Scheduled Tribes.
- (2) the upper age limit mentioned above shall not apply in the case of an ex-prisoner who had served under the Government on a substantive basis on any post before conviction and was eligible for appointment under these rules.
- (3) In the case of other ex-prisoner 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 overage before his conviction and was eligible for appointment under these rules.
- (4) the persons appointed temporarily to a post in the service shall be deemed to be within the age limit when they were initially appointed even though they have crossed the age limit when they appear finally before the Commission / Appointing Authority and shall be allowed upto two chances had they been eligible as such at the time of their initial appointment.
- (5) the upper age limit mentioned above shall be relaxed 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 minimum age limit by more than three years, they shall be deemed to be within the prescribed age limit.

- (6) the upper age limit for persons serving in connection with the affairs of the State in substantive capacity shall be 40 years.
- (7) the upper age limit for persons serving in connection with the affairs of the Panchayat Samities and Zila Parishads and the State Public Sector Undertaking/Corporations in substantive capacity shall be 40 years.
- (8) there shall be no upper age limit in the case of widow and divorced women.

Explanation: 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 divorcee, she will have to furnish the proof of divorce.

- (9) the upper age limit mentioned above shall be 50 years in the case of reservists namely of defense service personnel who were transferred to the Reserve and the Ex-Service Personnel.
- (10) the upper age limit mentioned above shall be relaxed by 5 years in the case of candidates belonging to the Other Backward Classes.

15. Academic and Technical Qualification and Experience: A candidate for direct recruitment to the post(s) specified in Schedule I and II as the case may be, shall possess -

- (1) the qualifications and experience as prescribed in column No. 5 of Schedule I and Schedule II as the case may be : and
- (2) working knowledge of Hindi written in Devnagari Script and knowledge of Rajasthani Culture.

Provided that the person who has appeared or is appearing in the final year examination of the course which is the requisite educational qualification for the post as mentioned in the Rules or Schedule for direct recruitment shall be eligible to apply for the post but he/she shall have to submit proof of having acquired the requisite educational qualification to the appropriate selection agency -

- (i) before appearing in the main examination, where selection is made through two stages of written examination and interview.
- (ii) before appearing in interview where selection is made through written examination and interview.
- (iii) before appearing in the written examination or interview where selection is made through only written examination or only interview, as the case may be.

16. Character: The Character of a candidate for direct recruitment to the Service must be such as well qualify him for employment in the Service He must produce a certificate of good character from the Principal/Academic Officer of the University or College in which he was last educated and two such certificates written not more than six months prior to the date of application from two responsible person not connected with his College University and not related to him.

Note :

- (1) A Conviction by a Court of law and need not of itself involve the refusal of certificate of good character. The circumstances of the conviction should be taken into account and if they involve no moral turpitude or association with crimes or violence or with a movement which has as its object the over throw by violent means of Government as by law established the mere conviction need not be regarded as disqualification.
- (2) Ex-prisoners who by their disciplined life while in prison and by their subsequent good conduct have proved to be completely reformed should not be discriminated against on grounds of the previous conviction for the purposes of employment in the Service. Those who are convicted of offences not involving moral turpitude shall be deemed to have been completely reformed on the production of a report to that effect from the Superintendent ' After Care Home' or if there are no such homes in a particular District from the Superintendent of Police of that District.
- (3) Those convicted of offences involving moral turpitude shall be required to produce a certificate from the Superintendent. After Care Home or if there in no such home in a particular District from the Superintendent of Police of that District endorsed by the Inspector General of Prisons to the effect that they are

suitable for employment as they have proved to be completely reformed by their disciplined life while in prison and by their subsequent good conduct in an 'After Care Home'.

17. **Physical Fitness:** A candidate for direct recruitment to the Service must be in good mental and bodily health and free from any mental and physical defect likely to interfere with the efficient performance of his duties as a member of the Service and if selected, must produce a certificate to that effect from a Medical Authority notified by the Government for the purpose. The Appointing Authority may dispense with production of such certificate in the case of candidate who is already serving in connection with the affairs of the State, if he has already been medically examined for the previous appointment and the essential standards of medical examination of the two posts held by him are held to be comparable for efficient performance of duties of the new post(s) and his age has not reduced his efficiency for the purpose.
18. **Employment of irregular or improper means:** A candidate who is or has been declared by the Commission/Appointing Authority/Committee referred to in rule 23 guilty of impersonation or of submitting fabricated documents which have been tampered with or of making statements which are incorrect or false or of suppressing material information or using or attempting to use unfair means in the examination or interview or otherwise resorting to any other irregular or improper means for obtaining admission to the examination or appearance at any interview may in addition to rendering himself liable to criminal prosecution be debarred either permanently or for a specified period.
- (a) by the Commission/Appointing Authority/Committee referred to in rules 23 from admission to any examination or appearance at any interview held by the Commission/Appointing Authority/Committee referred to in rules 23 for selection of candidates, and
- (b) by the Government from employment under the Government.
19. **Canvassing:** No recommendation for direct recruitment either written or oral other than that required under the rules shall be taken into consideration. Any attempt on the part of a candidate to enlist support directly or indirectly for his candidature by any means may disqualify him/her for recruitment.

PART - IV

PROCEDURE FOR DIRECT RECRUITMENT

- 20. Inviting of Applications:** Applications for direct recruitment to the post(s) in the service shall be invited by the Commission or the Appointing Authority, as the case may be, by advertising the vacancies to be filled in the Official Gazette or in such other manner as may be deemed fit by them/it.

Provided that while selecting candidates for the vacancies so advertised, the Commission or the Appointing Authority, as the case may be, may, if intimation of additional requirement not exceeding 50% of the advertised vacancies is received by them/it before selection, also select suitable persons to meet such additional requirement.

- 21. Form of Application:** The application shall be made in the form approved by the Commission/Appointing Authority, as the case may be and obtainable from the Secretary to the Commission or from the office of the Appointing Authority on payment of such fee, if any, as the Commission/Appointment Authority, as the case may be, may from time to time fix.

- 22. Application fee:** A candidate for direct recruitment to a post, in the Service shall pay to the Commission/Appointment Authority, as the case may be, such fees as are fixed by them/it from time to time in such manner as may be indicated by them/it.

- 23. Scrutiny of Application:** (1) The Commission or the Appointing Authority, as the case may be shall scrutinize the applications received by them/it and require as many candidates eligible for appointment under these Rules as seem to them/it desirable to appear before them/it for interview.

(2) Notwithstanding anything to the contrary contained in these rules Selection for the post(s) in pay scale No. 1 to 6 (as amended from time to time) shall be made by a Committee consisting of the following -

- (i) Head of the Department or his representative (Not below the rank of Regional Level Officer).
- (ii) District Collector or his representative.
- (iii) District Level Officer of the Department.

Explanation: 'District Level Officer' means the officer declared as such by the District Collector or the Appointing Authority concerned and 'Regional Level Officer' means the officer declared as such by the Appointing Authority concerned.

Provided that the decision of the Commission/Appointing Authority/Committee, as the case may be, as to the eligibility or otherwise of a candidate shall be final.

24. Recommendation: (1) The Commission/Appointing Authority/Committee referred to in rule 23, as the case may be, shall prepare a list of the candidates who they/it consider suitable for appointment to the post(s) concerned and arranged in the order of merit. The Commission shall forward such list to the Appointing Authority

(2) The Commission/Appointing Authority/Committee referred to in rule 23, as the case may be, may to the extent of 50% of the advertised vacancies keep names of suitable candidates of the reserve list. The Commission may on requisition. be recommended the name of such candidates in the order of merit to the Appointing Authority within six months from the date on which original list is forwarded by the Commission to the Appointing Authority.

25. Disqualification for Appointment:

(1) No male/female candidate who has more than one wife/husband living shall be eligible for appointment to the Service unless the Government, after being satisfied that there are special grounds permissible under the personnel law for doing so exempt any candidate from the operation of this rule.

(2) No married candidate shall be eligible for appointment to the Service if he had at any time of his marriage accepted any dowry.

Explanation For the purpose of this rule 'Dowry' has the same meaning as in the Dowry prohibition Act, 1961 (Central Act 28 of 1961).

26. Selection by the Appointing Authority: Subject to the provisions of Rule 7, 8, 9 and 10 the Appointing Authority shall select candidates in the order of merit in the list prepared under rule 24.

Provided that inclusion of a candidate's name in the list confers no right to appointment unless the Appointing Authority is satisfied after such enquiry as may be considered necessary that such candidate is suitable in all other respects for appointment to the post concerned.

PART - V

PROCEDURE FOR RECRUITMENT BY PROMOTION

27. **Constitution of the Committee:** The constitution of the Committee shall be as under -

(a) For post(s) falling within the purview of the Commission

1.	Chairman of the Commission or a Member thereof nominated by him.	Chairman
2.	Secretary to the Government in the Administrative Department concerned.	Member
3.	Secretary to the Government in the Department of Personnel or his representative not below the rank of Deputy Secretary to Government in the Department of Personnel.	Member
4.	Commissioner, Devasthan Department, Rajasthan	Member-Secretary

(b) For post(s) falling outside the purview of the Commission -

1.	Commissioner, Devasthan Department, Rajasthan	Chairman
2.	Deputy Secretary to the Government in the Administrative Department concerned.	Member
3.	Deputy Secretary to Government in the Department of Personnel	Member
4.	Deputy Commissioner (HQ), Devasthan Department	Member-Secretary.

Provided that in case any Member of Member-Secretary, as the case may be constituting the Committee has not be appointed to the post concerned, the officer holding charge of the post for the time being shall be the Member or Member Secretary, as the case may be, of the Committee.

28. Eligibility, Criteria and Procedure for Promotion-

- (1) As soon as the Appointing Authority, determines the number of vacancies under rule 13 of these rules and decides that certain number of posts are required to be filled in by promotion, it shall subject to provisions of sub-rule (6), prepare a correct and complete list of the senior most persons who are eligible and qualified under these rules for promotion on the basis of seniority-cum-merit or on the basis of merit, as the case may be to the class of post concerned.
- (2) The person(s) enumerated in Column 6 of Schedule I and II, as the case may be, shall be eligible for promotion to post(s) specified against them in column 2 thereof to the extent indicated in column 4 subject to their possessing minimum qualification and experience on the first day of the month of April of the year of selection as specified in Column 7.
- (3) No person shall be considered for first promotion in the Service unless he is substantively appointed and confirmed on the lowest post in the Service. After first promotion in the Service for subsequent promotions to higher post(s) in the Service a person shall be eligible if he has been appointed to such post from which promotion is to be made after selection in accordance with one of the method of recruitment prescribed under the provision of these rules.

Provided that for first promotion in the Service if number of persons substantively appointed and confirmed on the lowest post equal to the number of vacancies are not available then persons who have been appointed to the lowest post in the Service after selection in accordance with one of the method of recruitment prescribed under these rules shall also be eligible if they fulfill other conditions of eligibility.

Explanation- In case direct recruitment to a post(s) has been made earlier than regular selection by promotion in a particular year such of the persons who are or were eligible for appointment to that post by both the methods of recruitment and have been appointed by direct recruitment first shall also be considered for promotion.

- (4) Selection for promotion in the regular line of promotion from the post(s) not included in the State Service to the lowest post or category of post in the State Service shall be made strictly on the basis of merit and on the basis of seniority-cum-merit in the proportion 50 : 50.

Provided that, if the Committee is satisfied that suitable persons are not available for selection by promotion strictly on the basis of merit in a particular year selection by promotion on the basis of seniority-cum-merit may be made in the same manner as specified in these rules.

- (5) Selection for promotion from the lowest post or category of posts in the State Service to the next higher post or category of posts in the State Service and for all of the post(s) in the Subordinate Service shall be made strictly on the basis of seniority-cum-merit.

Explanation- If in the Service in any category of post(s) number of post(s) available for promotion is an odd number then for purpose of determining the vacancies for selection by promotion on the basis of seniority-cum-merit and on the basis of merit in the proportion of 50:50 the following cyclic order shall be followed.

The first vacancy by seniority-cum-merit.

The subsequent vacancy by merit.

The cycle to be repeated.

- (6) (i) The zone of consideration of persons eligible for promotion shall be as under.

Number of vacancies

Number of eligible persons to be considered

(a) for one vacancy

five eligible persons.

(b) for two vacancies

eight eligible persons.

(c) for three vacancies

ten eligible persons.

(d) for four or more of vacancies.

three times the number vacancies.

- (ii) Where, the number of eligible persons for promotion to higher post(s) is less than the number specified above, all the persons so eligible shall be considered.
 - (iii) Where, adequate number of the candidates belonging to the Schedule Castes or the Scheduled Tribes, as the case may be, are not available within the zone of consideration may be extended upto five times the number of vacancies and the candidates belonging to the Scheduled Castes or the Scheduled Tribes, as the case may be (and not any other) coming within the extended zone of consideration shall also be considered against the vacancies reserved for them.
7. (a) The Committee shall consider the cases of all the senior most persons who are eligible and qualified for promotion to the class of post(s) concerned under these rules and shall prepare a list containing names of the persons found suitable on the basis of seniority-cum-merit and/or on the basis of merit, as the case may be as per the criteria for promotion laid down in these rules equal to the number of vacancies determined under rule 13. The list so prepared on the basis of seniority-cum-merit and/or on the basis of merit as the case may be shall be arranged in the order of seniority of the category of posts from which selection is made.
- (b) The committee shall also prepare a separate list on the basis of seniority-cum-merit and/or on the basis of merit as the case may be as per the criteria for promotion laid down in the rules containing names of persons equal to the number of persons selected in the list prepared under clause(a) above to fill temporary or permanent vacancies which may occur subsequently. The list so prepared on the basis of seniority-cum-merit and/or on the basis of merit shall be arranged in the order of seniority in the category of post(s) from which selection is to be made. Such a list shall be reviewed and revised by the Committee that meets in the subsequent year and that such list shall remain in force till the end of the last day of the year for which the meeting of the Departmental Promotion Committee is held.
- (c) Such list shall be sent to the Appointing Authority together with Annual Confidential Report/Annual Performance Appraisal Reports and other Service Record of all the candidates included in the lists as also of those not selected, if any.

Explanation: For the purpose of selection for promotion on the basis of merit no person shall be selected if he does not have "outstanding" or "very good" record in at least five out of the seven years preceding the year for which meeting of the Departmental Promotion Committee is held.

- (8) If in any subsequent year after promulgation of these Rules vacancies relating to any earlier year are determined under sub-rule (4) of Rule (13) which were required to be filled by promotion, the Committee shall consider the cases of all such persons who would have been eligible in the year to which the vacancies relate irrespective of the year in which the meeting of the Committee is held and such promotion as was applicable in the particular year to which the vacancies relate and the service/ experience of an incumbent who has been so promoted, for promotion to higher post(s) for any period during which he has not actually performed the duties of the post(s) to which he would have been promoted shall be counted. The pay of a person who has been so promoted shall be refixed at the pay which he would have derived at the time of his promotion but no arrears of pay shall be allowed to him.
- (9) The Government or the Appointment Authority may order for the review of the proceedings of the Committee held earlier on account of some mistake or error apparent on the face of record or on account of a factual error substantially affecting the decision of the Committee or for any other sufficient reasons e.g. change in seniority, wrong determination of vacancies. Judgment/direction of any Court or Tribunal or where adverse entries in the Confidential Reports of an individual are expunged or toned down or a punishment inflicted on him is set aside or reduced. The concurrence of the Department of Personnel and the Commission (where Commission is associated) shall always be obtained before holding the meeting of the review Committee.
- (10) Where consultation with the Commission is necessary the lists prepared by the Committee shall be forwarded to the Commission by the Appointing Authority alongwith the personal files and Annual Confidential Rolls of all the persons whose names have been considered by the Committee.

- (11) The Commission shall consider the lists prepared by the Committee alongwith other relevant documents received from the Appointing Authority and unless any change is considered necessary, shall approve the lists. In case the Commission consider it necessary to make any change in the lists received from Appointing Authority, it shall inform the Appointing Authority of the change proposed by it. After taking into account the comments of the Commission, if any, the Appointing Authority may approve the lists finally with such modifications, as may, in its opinion be just and proper and when the Appointing Authority is an authority subordinate to the Government the lists approved by the Commission shall be disturbed only with the approval of the Government.
- (12) Appointments shall be made by the Appointing Authority taking persons out of the lists finally approved under the preceding sub-rule (11) in the order in which they have been placed in the list till such list are exhausted or reviewed and revised as the case may be.
- (13) The Government may issue instruction for provisionally dealing with promotions, appointments or other ancillary matters in an equitable and fair manner of persons who may be under suspension or against whom departmental proceedings is under progress at the time of promotions are considered to a post to which they are eligible or would have been eligible but for such suspension or pendency of such enquiry or proceedings.
- 29. Restriction of promotion of persons foregoing promotions -** In case a person, on his appointment by promotion to the next higher post(s) either on the basis of urgent temporary appointment or on regular basis on the recommendation of the Committee, forgoes such an appointment through his written request and if the concerned Appointment Authority accept his/her request, the person concerned shall be debarred from consideration for promotion (both on the basis of urgent temporary appointment or on regular basis) for subsequent two recruitment years for which the Committee is held and the name of such person who forgoes promotion shall not be included in the seniority-cum-eligibility list to be placed before the Committee for subsequent two recruitment years.

PART - IV

APPOINTMENT PROBATION AND CONFIRMATION

30. **Appointment to the Service:** Appointment to post(s) in the service by direct recruitment or by promotion as the case may be, shall be made by the Appointing Authority on occurrence of substantive vacancies from the candidates selected under rule 26 in order or merit any by promotion from the persons selected under rule 28 and persons adjudged suitable under proviso (iii) to rule 6(1) of these rules.
31. **Urgent Temporary Appointment:** (1) A vacancy in the Service which cannot be filled in immediately either by direct recruitment or by promotion under these rules may be filled in by the Appointing Authority by appointing in an officiating capacity thereto an officer eligible for appointment to the post(s) by promotion or by appointing temporarily there to a person eligible for direct recruitment to the service. Where such direct recruitment has been provided under the provisions of these rules.

Provided that-

- (i) Such an appointment will not be continued beyond a period of one year without referring the case to the Commission for concurrence (where such concurrence is necessary) and shall be terminated immediately on its refusal to concur.
- (ii) In respect of a post in the Service for which both the methods of recruitment have been prescribed. the Appointing Authority shall not have with the specific permission of the Government in the Department of Personnel in the case of State Service and the Government in the Administrative Department concerned in respect of Subordinate Service fill the temporary vacancy against the direct recruitment quota by a whole time appointment for a period exceeding three months otherwise than out of persons eligible for direct recruitment and after a short term advertisement.
- (2) In the event of non-availability of suitable persons, fulfilling the requirements of eligibility for promotion. Government may notwithstanding the condition of eligibility for promotion required under sub-rule(1) above lay down general instructions for grant of permission to fill the vacancies on urgent temporary basis subject to such conditions and restrictions regarding pay and other allowances as

it may direct. Such appointment shall however, be subject to concurrence of the Commission as required under the said sub-rule (1).

- 32. Seniority** - Seniority of persons appointed to the lowest post of the Service of lowest categories of post(s) in each of the Group/Section of the Service, as the case may be, shall be determined from the date of confirmation of such persons to the said post but in respect of persons appointed by promotion to other higher post(s) in the Service or other higher categories of post(s) in each of the Group/Section in the Service. as the case may be shall be determined from the date of their regular selection to such post(s).

Provided that -

- (i) The persons adjudged suitable under proviso (iii) to sub rule (1) of rule 6 shall be determined according to length of continuous service in an adhoc or officiating capacity or on urgent temporary basis and they shall rank junior to all persons appointed regularly by direct recruitment or by promotion upto the date of commencement of these rules.
- (ii) The interse seniority of persons appointed to a post in a particular category by direct recruitment on the basis of one and the same selection except those who do not join Service when a post is offered to them within a period of six weeks from the date of issue of order or longer, if extended by the Appointing Authority, shall follow the order in which their names have been placed in the list prepared under rule-24.
- (iii) If two or more persons are appointed to the service during the same year a person appointed by promotion shall be senior to a person appointed by direct recruitment.
- (iv) The persons selected and appointed as a result of a selection, which is not subject to review and revision shall rank senior to the person(s) who are selected and appointed as a result of subsequent selection.
- (v) The seniority interse of persons selected on the basis of seniority cum merit and on the basis of merit in the same selection shall be the same as in the next below grade.

- (vi) If a candidate belonging to Scheduled Caste/Scheduled Tribe is promoted to an immediate higher post/grade against a reserved vacancy earlier than his senior General/OBC candidate who has promoted later to the said immediate higher post/grade, the General/OBC candidate will regain his seniority over such earlier promoted candidate of the Scheduled Caste/Scheduled Tribe in the immediate higher post/grade.

33. Period of Probation: (1) All persons appointed to the service by direct recruitment against a substantive vacancy shall be placed on probation for a period of two years and those appointed to the Service by promotion against a substantive vacancy shall be placed on probation for a period of one year.

Provided that:

- (i) Such of them as have previous to their appointment by promotion or by direct recruitment against a substantive vacancy officiated temporarily on the post which is followed by regular selection may be permitted by the appointing authority to count such officiating or temporary service towards the period of probation. This shall however, not amount to involve supersession of any senior person or disturb the order of their preference in respective quota of reservation in recruitment.
- (ii) any period after such appointment during which a person has been on deputation on a corresponding or higher post shall count towards the period of probation.
- (2) During the period of probation specified in sub-rule(1) each probation may be required to pass such Departmental Examination and to undergo such training as the Government may, from time to time, specify.

Examination: In case of a person who dies or is due to retire on attaining the age of superannuation the period of probation shall be reduced so as to end one day earlier on the date immediately preceding the date of his death or retirement from Government Service. The condition of passing the Department Examination in the rule regarding confirmation shall be deemed to have been waived in case of death or retirement.

34. Confirmation in certain cases:

- (1) Notwithstanding anything to the contrary contained in the preceding rule a person appointed to a post in the Service temporarily or on officiating basis who after regular recruitment by any one of the method of recruitment prescribed under these rules has not been confirmed within a period of six months on completion of a period of two years service in case he is appointed by direct recruitment or within a period of one year's service in case he is appointed by promotion shall be entitled to be treated as confirmed in accordance with his seniority, if
 - (i) he has worked on the post or higher post under the same Appointing Authority or would have so worked but for his deputation or training;
 - (ii) he fulfills conditions as are prescribed under rule relating to confirmation subject to the quota prescribed under these Rules; and
 - (iii) permanent vacancy is available in the Department.
- (2) In an employee referred to in sub-rule (1) above fails to fulfil the conditions mentioned in the said sur-rule the period mentioned in sub-rule (1) above may be extended as prescribed for a probationer under the Rajasthan Civil Service (Departmental Examination) Rules, 1959 and any other rules or by one year whichever is longer. If the employee still fails to fulfil the conditions mentioned in sub rule (1) above he will be liable to be discharged or terminated from such post in the same manner as a probationer or reverted to his substantive or lower post if any to which he may be entitled.
- (3) The employee referred to in sub-rule (1) above shall not be debarred from confirmation after the said period of service if no reasons to the contrary about the satisfactory performance of his work are communicated to him within the said period of service.
- (4) The reason for not confirming of any employee referred in sub-rule (1) above shall be recorded by the Appointing Authority in his service Book and Annual Performance Appraisal Report.

Explanation: (i) Regular recruitment for the purpose of this rule shall mean

- (a) Appointment by either method of recruitment or on initial Constitution of Service in accordance with the rules made under the proviso to Article 309 of the Constitution of India.
- (b) Appointment to the post (s) for which no Service rules exists if the post are within the purview of the Commission recruitment in consultation with them.
- (c) Appointment by transfer after regular recruitment where the Service rules specifically permit.
- (d) Persons who have been eligible for substantive appointment to a post under this rules shall be treated as having been regularly recruited.

Provided that it shall not include urgent temporary appointment or officiating promotion which is subject to review and revision.

- (vii) Persons who hold lien on another cadre shall be eligible to be confirmed under this rule and they will be eligible to exercise an option whether they do not elect to be confirmed on the expiry of two years of their temporary appointment under this rule. In the absence of any option to the contrary they shall be deemed to have exercised option in favour of confirmation under this rule and their lien on the previous post shall cease.

35. Unsatisfactory progress during probation : (1) If it appears to the Appointing Authority at any time during or at the end of the period of probation that member of the Service has not made sufficient use of his opportunities or that he has failed to give satisfaction, the Appointing Authority may revert him to the post held substantively by him immediately preceding his appointment provided he holds a lien thereon or in other cases may discharge or terminate him from service

Provided that-

- (i) the Appointing Authority may if it so thinks fit in any case or class of cases extend the period of probation of any member of Service by a specified period not exceeding two years in case of person appointed to a post in the service by direct recruitment and one year in the case of person appointed to a post in the service

by direct recruitment and one year in the case of person appointed by promotion to such post.

- (ii) The Appointing Authority may if it so thinks fit in case of persons belonging to the Scheduled Castes or the Scheduled Tribes. as the case may be extend the period of probation by a period not exceeding one year at a time and a total extension not exceeding three years.
- (2) Notwithstanding anything contained in sub-rule(1) during the period of probation if a probationer is placed under suspension of disciplinary proceeding are contemplated or started against him the period of his probation may be extended till such period the Appointing Authority thinks fit in the circumstances.
- (3) A probationer reverted or discharged from Service during or at the end of the period of probation under sub-rule (1) shall not be entitled to any compensation.

36. Confirmation: A person placed on probation under rule 33 shall be confirmed in his appointment at the end of his period of probation, if:-

- (a) He has passed the Departmental Examination and has successfully undergone such training as is referred to in sub-rule (2) of Rule 33.
- (b) He has passed departmental test of proficiency in Hindi. and
- (c) The Appointing Authority is satisfied that his integrity is unquestionable and that he is otherwise fit for confirmation.

PART - VII

PAY

37. Scale of Pay : - The Scale of monthly pay of a person appointed a post in the Service shall be such as may be admissible under the Rules referred to in rule 39 or as may be sanctioned by the Government from time to time.

- 38. Amount of fixed remuneration for a Probationer-trainee:-** A probationer-trainee shall draw fixed remuneration during the period of probation training. Only on successful completion of period of probation training, he will be allowed pay in the regular pay structure.
- 39. Regulation of Pay, Leave, Allowances, Pension etc.** Except as provided in these rules they pay allowances, pension, leave and other conditions of Service of the member of the Service shall be regulated by:
- (1) The Rajasthan Service Rules, 1951 as amended from time to time.
 - (2) The Rajasthan Civil Service (Classification, Control and Appeal) Rules, 1958, as amended from time to time.
 - (3) The Rajasthan Traveling Allowance Rules, 1971, as amended from time to time
 - (4) The Rajasthan Civil Service (Conduct) Rules, 1971, as amended from time to time
 - (5) The Rajasthan Civil Service (Pension) Rules, 1996, as amended from time to time and
 - (6) Any other rules prescribing general conditions of Service made by the Appropriate Authority under the proviso to Article 309 of the Constitution of India and for the time being in force.
- 40. 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 whose decision there on shall be final.
- 41. Repeal and Saving :** All rules and order in relation to 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 repealed shall be deemed to have been taken under the provision of these rules.

42. Power to relax Rules : In exceptional cases where the Administrative Department of the Government is satisfied that operation of the rules relation to age or regarding requirement of experience for recruitment causes undue hardship in any particular case or where the Government is of the opinion that it is necessary or expedient to relax any other the provisions of these rules with respect to age or experience of any person. It may with the concurrence of the Department of Personnel and in consultation with the Commission by orders dispense with or relax the relevant provisions of these rules to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner provided such relaxation shall not be less favorable than the provisions already contained in these rules Such case of relaxation shall be referred to the Commission by the Administrative Department concerned.

Provided that relation in the prescribed period of service or experience under these rules shall only be granted to the extent of 1/3 period of the service or experience prescribed for promotion to any post before holding the meeting of the Departmental Promotion Committee.

SCHEDULE-I
(POST IN STATE SERVICE)

S.No.	Name of the post	Methods of Recruitment with percentage		Qualification and Experience for direct recruitment	Post from which promotion is to be made	Qualification and Experience for Promotion	Remarks
		Direct Recruitment	Promotion				
1	2	3	4	5	6	7	8
1.	Deputy Commissioner	--	100%	--	Assistant Commissioner	5 year experience on the post mentioned in column No. 6	DOP Notification No. F 1(3)DOP/A-II/09 Dt. By 100% Promotion post.
2.	Assistant Commissioner	50% (In accordance with the provisions of the Rajasthan State and Sub-ordinate Services (Direct Recruitment by Combined Competitive Examination) Rule, 1999	50%	Qualification as laid down in the Rajasthan State and Sub-ordinate Services (Direct Recruitment by Combined Competitive Examination) Rules, 1999	Inspector Gr-I	5 year experience on the post mentioned in column No. 6	--
3.	Assistant Engineer	--	--	--	--	--	To be taken on deputation from PWD/PHED/Irrigation Department

SCHEDULE-II
(POST IN SUBORDINATE SERVICE)

S.No.	Name of the post	Methods of Recruitment with percentage		Qualification and Experience for direct recruitment	Post from which promotion is to be made	Qualification and Experience for Promotion	Remarks
		Direct Recruitment	Promotion				
1	2	3	4	5	6	7	8
1.	Inspector Gr-I	--	100%	--	Inspector Gr-II	5 year experience on the post mentioned in column No. 6	--
2.	Inspector Gr-II	100% (In accordance with the provisions of the Rajasthan State and Sub-ordinate Service (Direct Recruitment by Combined Competitive Examination) Rules, 1999)	--	Qualification as laid down in the Rajasthan State and Subordinate Services (Direct Recruitment by Combined Competitive Examination) Rules, 1999	--	--	12½ % posts will be reserved for substantive ministerial Staff of Devasthan Deptt.
3.	Manager Gr-I	--	100%	--	Manager Gr-I	5 year experience on the post mentioned in column No. 6	--
4.	Manager Gr-II	50%	50%	Passed Shastri Examination or B.A. with Sanskrit of a University established by law in India	Pujari	5 year experience on the post mentioned in column No. 6	--
5.	Pujari	50%	50%	Upadhya or Uttar Madhyama or Senior	Sevagir	5 year experience on the post mentioned in	--

				Secondary with Sanskrit of a recognised Board		column No. 6	
6.	Sevagir	100%	--	Praveshika or Purva Madhyama or Secondary with Sanskrit of a recognised Board	--	--	--
7.	Junior Engineer	--	--	--	--	--	To be taken on deputation from PWD/PHED/Irrigation Department

By Order and in the name of the
governor,
sd
(S.N. Sharma)
Deputy Secretary to the Government