

राजस्थान सरकार
कार्मिक (क-2) विभाग

निदेशक

मुद्रण एवं लेखन सामग्री विभाग,
राजस्थान, जयपुर ।

क्रमांक प. 1(1)कार्मिक/क-2/2015

जयपुर, दिनांक : 21.07.2015

विषय:- अधिसूचना का राजस्थान राजपत्र में प्रकाशन कराये जाने बाबत।

महोदय,

उपरोक्त विषयान्तर्गत निदेशानुसार लेख है कि कृपया संलग्न राजस्थान आबकारी प्रयोगशाला (राज्य अधीनस्थ) सेवा नियम, 2015 जारी करने हेतु अधिसूचना (हिन्दी अनुवाद सहित) दिनांक 21.07.2015 राजस्थान के असाधारण राजपत्र विशेषांक भाग 4(ग) एस.आर. दिनांक 21.07.2015 में प्रकाशित कराये जाने व्यवस्था हेतु अधीक्षक, राजकीय केन्द्रीय मुद्रणालय, जयपुर को प्राधिकृत पत्र जारी करने की व्यवस्था करें।
भवदीय,

(ओ.पी. गुप्ता)

संयुक्त शासन सचिव

प्रतिलिपि:-

1. अधीक्षक, राजकीय केन्द्रीय मुद्रणालय, जयपुर को दिनांक 21.07.2015 के राजस्थान राजपत्र विशेषांक भाग 4(ग) एस.आर. में प्रकाशित कराये जाने हेतु प्रेषित है। कृपया अधिसूचना से संबंधित राजपत्र तीन प्रतियां इस विभाग को भी उपलब्ध कराने की व्यवस्था करें।
2. सहायक शासन सचिव, मंत्रिमण्डल सचिवालय को, मंत्रिमण्डल की आज्ञा संख्या 130/2015 दिनांक 24.06.2015 एवं ज्ञापन क्रमांक प. 11(2)वित्त/आव/2013 दिनांक 18.06.2015 के संदर्भ में।
3. प्रमुख शासन सचिव, वित्त विभाग।
4. संयुक्त शासन सचिव, वित्त (आबकारी) विभाग।
5. आबकारी आयुक्त, राजस्थान, उदयपुर।
6. सहायक शासन सचिव, प्रशासनिक सुधार (ग्रुप-7) विभाग को 9 अति० प्रतियों के साथ।
7. विधि (संहिताकरण)/विधि पुस्तकालय/सहायक विधि प्रारूपकार (प्रारूपण)।
8. महालेखाकार, लेखापरीक्षा, राजस्थान, जयपुर।

संयुक्त शासन सचिव

प्रतिलिपि निम्न को भी:-

1. सचिव, राजस्थान लोक सेवा आयोग, अजमेर को 25 प्रतियों के साथ।
2. सचिव, राजस्थान विधान सभा (अधीनस्थ विधान संबंधी समिति) जयपुर को 20 प्रतियों के साथ।
3. रजिस्ट्रार, राजस्थान उच्च न्यायालय, जोधपुर/जयपुर/राजस्थान सिविल सेवा अपील अधिकारी जयपुर।
4. सचिव, राजस्थान लोकायुक्त सचिवालय, जयपुर।
5. सम्पादक, शिविरा/सचिवालय संदेश/लेखाविज्ञ।
6. निदेशक, सूचना एवं जन सम्पर्क विभाग, जयपुर को समाचार पत्रों में प्रकाशन हेतु।
7. रजिस्ट्रार, उच्चतम न्यायालय, नई दिल्ली को 5 प्रतियों सहित।

संयुक्त शासन सचिव

प्रतिलिपि निम्न को भी :-

1. प्रमुख सचिव, राज्यपाल, राजस्थान, जयपुर।
2. सचिव, मुख्यमंत्री राजस्थान, जयपुर।
3. उप सचिव, मुख्य सचिव, राजस्थान जयपुर।
4. निजी सचिव, शासन सचिव, कार्मिक विभाग।
5. एसीपी, कम्प्यूटर सैल, कार्मिक विभाग को आवश्यक कार्यवाही हेतु।
6. अटलजी विधिक को 5 प्रतियां भेजें।
7. गार्ड फाइल।

संयुक्त शासन सचिव

**GOVERNMENT OF RAJASTHAN
DEPARTMENT OF PERSONNEL
(A-II)**

No. F. 1(1)DOP/A-II/2015

Jaipur, dated: 21.07.2

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Government of Rajasthan hereby makes the following regulations regulating recruitment to posts in and the conditions of service of persons appointed to the Rajasthan Excise Laboratory (State and Subordinate) Services, namely:-

**PART-I
General**

1. Short title, commencement and application.- (1) These rules may be called the Rajasthan Excise Laboratory (State and Subordinate) Service Rules 2015.

(2) They shall come into force with immediate effect.

(3) These rules shall not apply to the posts governed by the Rajasthan Scheduled Subordinate, Ministerial and Class-IV Service (Recruitment and other Service Conditions) Rules, 2014, except as provided in those rules.

2. Definitions.- In these rules, unless the context otherwise requires,-

- (a) "Appointing Authority" in respect of the post of State Services means Government of Rajasthan and in respect of the post of Subordinate Services means Excise Commissioner;
- (b) "Commission" means the Rajasthan Public Service Commission;
- (c) "Commissioner" means the Excise Commissioner, Rajasthan;
- (d) "Committee" means the Committee referred to in rule 29;
- (e) "Direct recruitment" means recruitment made according to the procedure laid down in Part-IV of these rules;
- (f) "Government" means the Government of Rajasthan;
- (g) "Member of the service" means a person appointed to a post in the service on the basis of regular selection under the provisions of these rules or rules or order superseded by these rules;
- (h) "Schedule" means the Schedules appended to these rules;
- (i) "Service" means the Rajasthan Excise Laboratory State service and Rajasthan Excise Laboratory Subordinate Services, as the case may be;
- (j) "Service" or "Experience" wherever prescribed in these rules as a condition for promotion to senior posts in the case of a person holding a lower post.

eligible for promotion within the service from one category to another or senior posts, shall include the period for which the person has continuously worked on such lower post 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 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.

(k) "State" means the State of Rajasthan;

(l) "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 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 as per rule 5 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.

(m) "Year" means the financial year.

3. Interpretation.— Unless the context otherwise requires, the Rajasthan General Clauses Act, 1955 (Rajasthan Act No. VIII of 1955) shall apply for the interpretation for 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 posts included in service shall be as specified in column 2 of Schedule-I and Schedule-II as the case may be.

(2) The strength of posts in the service shall be such as may be determined by Government, from time to time:

Provided that the Government may—

- (a) create any post, permanent or temporary, from time to time, as may be considered necessary and may abolish any such posts in the like manner without thereby entitling any person to any compensation; and
- (b) leave unfilled or hold in abeyance or abolish or allow to lapse any post, permanent or temporary, without thereby entitling any person to any claim or compensation.

5. Constitution of the Service.- The Service shall consist of -

- (a) all person holding substantively the post(s) specified in Schedule-I and Schedule-II, as the case may be, on the date of commencement of these rules;
- (b) all persons regularly recruited to the posts included in the Schedule-I and Schedule-II before the commencement of these rules; and
- (c) all persons recruited by any of the methods laid down in these rules.

PART-III Recruitment

6. Methods of Recruitment.- (1) Recruitment to the post(s) in the service from the commencement of these rules shall be made by the following methods in the proportion as indicated in column 3 and 4 of the Schedule-I and Schedule-II, as the case may be, namely:-

(a) by direct recruitment in accordance with the provisions of Part-IV of these rules.

(b) by promotion in accordance with the provisions of Part-V of these rules.

(2) Recruitment to the service by the aforesaid methods shall be made in such a manner that the persons appointed to the service by each method do not at any time exceed the percentage laid down in these rules/Schedules of the total cadre strength sanctioned for each category, from time to time:

Provided that if the Appointing Authority is satisfied, in consultation with the Commission/Committee, that suitable persons are not available for appointment by either method of recruitment in a particular year, appointment by the other method or relaxation of the prescribed proportion may be made in the same manner as specified in these rules.

Provided further that 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. Compassionate appointment of Dependents of the Deceased Permanently Incapacitated Armed Forces Service Personnel/Paramilitary personnel.- (1) Notwithstanding anything contained in these rules, the Appointing Authority may fill the vacancies of the,-

- (i) Post upto Pay Band PB-1 G.P. No.10 to be filled in by direct recruitment or by appointing on compassionate ground, one of the dependents of a member of the Indian Armed Forces/Para Military Forces belonging to the State who became

permanently incapacitated on or after 1.4.99 in any defence operations including counter insurgency operations and operations against terrorists

- (ii) Post upto Pay Band PB-2 G.P. No.11 to be filled in by direct recruitment appointing on compassionate ground, one of the dependents of a member of Armed Forces/Para Military Forces belonging to the State, who died or after 1.4.99 in any defence operations including counter-insurgency operations and operations against terrorists,
- (iii) Post upto Pay Band PB-1 G.P. No.10 to be filled in by direct recruitment appointing on compassionate ground, one of the dependents of a member of Armed Forces belonging to the State, who died or was permanently incapacitated in war or any defence operations including counter insurgency operations and operations against terrorists during the period from 1.7.71 to 31.3.99,

subject to fulfillment of the educational qualifications and other service conditions prescribed under the relevant Service Rules and with the concurrence of Department of Personnel and the Rajasthan Public Service Commission if the post falls within the purview of the Commission:

Provided that-

- (a) if the Armed Forces/Para Military Personnel who are permanently incapacitated are capable of and desirous of obtaining employment for themselves under the State Government, employment shall be given to them.
- (b) if the widow or the children of the Armed Forces/Para Military Personnel who are killed or permanently incapacitated are not in a position to take up employment immediately, employment will be given to them on acquiring of eligibility for appointment.

(2) Appointment shall be given to a dependent of Armed Forces/Para Military Personnel only if any of them has not got appointment on any post under the provisions of the concerned service rules prevailing in the Government of India.

(3) Appointment shall not be given to such dependent if any of the other dependents of the Armed Forces/Para Military Personnel is already employed on regular basis under the Central/any State Government or Statutory Board Organisation/Corporation owned or controlled wholly or partially by the Central/any State Government at the time of death of the Armed Forces/Para Military Personnel:

Provided that this condition shall not apply where the widow seeks employment for herself.

(4) Such dependents shall address an application for the purpose to the Zila Sainik Kalyan Adhikari in the case of Armed Forces and the Officer Commanding the Para Military Unit for Para Military Forces duly verified by the Head of the Unit where the deceased/permanently incapacitated member of the Armed Forces/Para Military Forces was serving at the time of death/becoming permanently incapacitated. The application

shall be considered in relaxation of the normal recruitment rules subject to the condition that the dependent fulfills the academic qualification and experience except for appointment to Class IV for which educational qualification shall be relaxed, a limit prescribed for the post and also otherwise qualified for Government Service.

(5) The application of such dependent shall be forwarded to the District Commissioner concerned for suitable appointment according to the qualifications possessed by the dependent. In the event of non-availability of vacancy in the District concerned, the application shall be sent to the Divisional Commissioner who shall arrange appointment in any District under his jurisdiction. If vacant post is not available under the jurisdiction of the Divisional Commissioner then the application shall be referred by the Divisional Commissioner to Government in the Department of Personnel for providing appointment.

(6) The application shall contain the following information:-

- (i) Name and designation of the deceased/permanently incapacitated person in the Armed Forces/Para Military Force Personnel;
- (ii) Unit in which he/she was working prior to death/becoming permanently incapacitated;
- (iii) Date and place of death with death certificate issued by the Authority competent to declare a battle casualty or becoming permanently incapacitated; and
- (iv) name, date of birth, educational qualification of the applicant and his relation with the deceased (with certificates).

Explanation: For purpose of this rule,-

- (a) "Armed Force" means the Army, Navy and Air Force of the Union;
- (b) "Dependent" means the spouse of the deceased/permanently incapacitated person, son/adopted son, unmarried daughter/unmarried adopted daughter who were wholly dependent on deceased/permanently incapacitated Armed Forces Service Personnel/Para Military Personnel;

Note: Adopted son/daughter means legally adopted son /daughter by the deceased / permanently incapacitated person during his/her life.

- (c) "Para Military Forces" means Border Security Force, Central Reserve Police Force, Indo Tibetan Border Police and other Para Military Force as may be notified by Central and State Government, from time to time.
- (d) "Permanently incapacitated" means a person who is covered under the definition of the term "person with disabilities" as provided in the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (Act No. 1 of 1996).

8. Reservation of vacancies for the Scheduled Castes and Scheduled Tribes.-

(1) Reservation of vacancies for the Scheduled Castes and the Scheduled Tribes shall be in accordance with the provisions of law in force at the time recruitment i.e. by direct recruitment and by promotion.

(2) The vacancies so reserved for promotion shall be filled by seniority-cum-merit and merit.

(3) In filling the vacancies so reserved the eligible candidates who are members of Scheduled Castes and 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 falling in its purview and by the Appointing Authority in other cases and the Departmental Promotion Committee or the Appointing Authority, as the case may, in the case of promotees, irrespective of their relative rank as compared with other candidates.

(4) Appointment shall be made strictly in accordance with the roster prescribed separately for direct recruitment and promotion.

(5) In the event of non-availability of the eligible and suitable candidates amongst the Scheduled Castes or Scheduled Tribes, as the case may be, for direct recruitment, in a particular year, the vacancies so reserved for them shall be carried forward to the subsequent three recruitment years. After the expiry of three recruitment years, such carried forward vacancies shall be filled in accordance with the normal procedure:

Provided that if recruitment is not held in any recruitment year, such recruitment year shall not be counted for the purpose of this sub-rule:

Provided further that filling up of the vacancies in accordance with the normal procedure under this sub-rule shall not affect the reservation of posts as per the post based roster and vacancies on the reserved posts available in the roster may be filled in from amongst the persons belonging to the Scheduled Castes or Scheduled Tribes, as the case may be, for which such vacancy is available in subsequent years.

(6) In the event of non-availability of the eligible and suitable candidates for promotion amongst the Scheduled Castes or Scheduled Tribes, as the case may be, in a particular year, the vacancies so reserved for them shall be carried forwarded until the suitable Scheduled Castes or Scheduled Tribes candidate(s), as the case may be are available. In any circumstances no vacancy for Scheduled Castes and the Scheduled Tribes candidates shall be filled by promotion from General category candidates. In exceptional cases, where in the public interest the Appointing Authority feels that it is necessary to fill up the vacant reserved post(s) by promotion from the General category candidates on urgent temporary basis, the Appointing Authority may make a reference to the Department of Personnel and after obtaining prior approval of the Department of Personnel, they may fill up such post(s) by promoting the General category candidate(s) on urgent temporary basis clearly stating in the promotion order that the General category candidate(s) who are being promoted on urgent temporary basis against the vacant post reserved for Scheduled Castes or Scheduled Tribes candidates, as the case may be.

may be, shall have to vacate the post as and when the candidate(s) of that become available:

Provided that there shall be no carry forward of the vacancies in posts category/ group of posts in any cadre of service to which promotions are made on basis of merit alone, under these rules.

9. Reservation of vacancies for the Backward Classes, Special Backward Classes and Economically Backward Classes.- Reservation of vacancies for Backward Classes, Special Backward Classes and Economically Backward Classes in accordance with the provisions of law in force at the time of direct recruitment. In the event of non-availability of eligible and suitable candidate amongst Backward Classes, Special Backward Classes and Economically Backward Classes in a particular year, the vacancies so reserved for them shall be filled in accordance with the normal procedure.

10. Reservation of vacancies for the Woman.- Reservation of vacancies for woman candidates shall be 30% category-wise in direct recruitment out of which 1% shall be for widows and 2% for divorced woman candidates. In the event of non-availability of the eligible and suitable widow and divorced woman candidate in a particular year, the vacancies so reserved for widow and divorced woman candidates shall be filled in by other woman candidates and in the event of non-availability of eligible and suitable woman candidates, 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. The reservation of woman candidates shall be adjusted proportionately in the respective category to which the woman candidates belong.

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.

11. 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 persons in a 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 shall be adjusted in the respective category to which the sports persons belong.

Explanation: "Outstanding sportspersons" shall mean and include the Sports persons who are represented by the State, who,-

- (i) represented Indian Team in Individual or in Team event in any International Tournament of any Sports and Games, recognized by the Indian Olympic Association or concerned recognized National Sports Federation;

or

(ii) represented Indian Team in Individual or in Team event in any International Tournament of any Sports and Games, recognized by the Indian School Sports Federation or concerned recognized National School Games Federation;

or

(iii) Medal Winner in the Individual or in Team event in any National Tournament of any Sports and Games, recognized by the Indian Olympic Association or concerned recognized National Sports Federation;

or

(iv) Medal Winner in the All India Inter University Tournament in Individual event or in Team event in any Sports or Games, recognized by Indian Universities Association.

12. 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, Sri Lanka and East African Countries of Kenya, Uganda, and the United Republic of Tanzania (formerly Tanganyika and Zanzibar) Zambia, Malawi, 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 in the Department of Home Affairs and Justice after proper verification.

13. Conditions of eligibility of person 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 in accordance to the instructions issued on the subject by the Government of India.

14. 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 financial year

(ii) represented Indian Team in Individual or in Team event in any International Tournament of any Sports and Games, recognized by the Indian School Sports Federation or concerned recognized National School Games Federation;

or

(iii) Medal Winner in the Individual or in Team event in any National Tournament of any Sports and Games, recognized by the Indian Olympic Association or concerned recognized National Sports Federation;

or

(iv) Medal Winner in the All India Inter University Tournament in Individual event or in Team event in any Sports or Games, recognized by Indian Universities Association.

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- (a) a citizen of India, or
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- (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, Sri Lanka and East African Countries of Kenya, Uganda, and the United Republic of Tanzania (formerly Tanganyika and Zanzibar) Zambia, Malawi, 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 in the Department of Home Affairs and Justice after proper verification.

13. Conditions of eligibility of person 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 in accordance to the instructions issued on the subject by the Government of India.

14. 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 financial year

appear finally before the Commission and shall be allowed up to two chances had they been eligible as such at the time of their initial appointment;

- (vi) the upper age limit for persons serving in connection with the affairs of Panchayat Samitis and Zila Parishads and in the State Public Sector undertakings/corporation in substantive capacity shall be 40 years;
- (vii) the upper age limit for the persons serving in connection with the affairs of the State in substantive capacity, shall be 40 years. This relaxation shall not apply to urgent temporary appointments;
- (viii) the Released Emergency Commissioned Officers and Short Service Commissioned Officers after released from the Army shall be deemed to be within the age-limit even though they have crossed the age-limit when they appear before the Commission or Selection Committee had they been eligible as such at the time of joining the commission in the Army;
- (ix) that the upper age limit for reservist namely the defence personnel transferred to the reserve and the ex-service personnel shall be 50 years;
- (x) there shall be no upper age limit in the case of widows and divorced woman;

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 divorcee.

- (xi) 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.

16. Academic and technical qualification.- A candidate for recruitment to the posts specified in Schedule-II, shall possess:-

- (1) the qualifications and experience as laid down in column 5 of Schedule-II;
- (2) working knowledge of Hindi written in Devnagri Script and knowledge of Rajasthani culture:

Provided that the persons 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-II 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.

or where adverse entries in the Confidential Report of an individual are expunged turned down or a punishment inflicted on him/her is set aside or reduced. The concurrence of the Department of Personnel and the Commission, (where Commission associated) shall always be obtained before holding the meeting of the review Committee.

(13) Where consultation with the Commission is necessary, the lists prepared by the Committee shall be forwarded to the Commission by the Appointing Authority along with the personal files and Annual Confidential Rolls/Annual Performance Appraisal Reports of all the persons whose names have been considered by the Committee.

(14) The Commission shall consider the lists prepared by the Committee along with other relevant documents received from the Appointing Authority and unless any change is considered necessary, shall approve the lists. In case the Commission considers it necessary to make any change in the lists received from the Appointing Authority, it shall inform the Appointing Authority of the changes 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.

(15) Appointment shall be made by the Appointing Authority taking persons out of the lists finally approved under the preceding sub-rule (14) in the order in which they have been placed in the lists, till such lists are exhausted or reviewed and revised or remained in force, as the case may be.

(16) The Government may issue instructions 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 proceeding 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.

(17) The provision of this rule shall have effect notwithstanding anything to the contrary contained in any provision of these rules.

31. Restriction of promotions of persons foregoing promotions.- In case a person on his appointment by promotion to the next higher post either on the basis of urgent temporary appointment or on regular basis on the recommendation of the Committee, foregoes such an appointment through his/her written request and if the concerned Appointing Authority accepts 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.

(8) The Committee shall consider the cases of all the senior-most persons who are eligible and qualified for promotion to the class of posts concerned under these rules. The Committee shall prepare a list containing names of the persons found suitable on the basis of seniority-cum-merit 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 these rules. 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 in the category of posts from which selection is made.

(9) 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 these rules, containing number of persons selected in the list prepared under sub-rule (8) above to fill temporary or permanent vacancies, which may occur subsequently. The list so prepared on the basis of seniority-cum-merit or on the basis of merit shall be arranged in the order of the seniority in the category of posts from which selection shall be made. Such a list shall be reviewed and revised by the Committee at its next meeting 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 or till the Departmental Promotion Committee is held.

(10) Lists prepared under sub-rule (8) and (9) shall be sent to the Appointing Authority together with Annual Confidential Reports/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 a person shall be selected if he does not have "Outstanding" or "Very Good" record of at least four out of seven years preceding the year for which the meeting of the committee is held.

(11) If in any subsequent year, after promulgation of these rules, vacancies relating to any earlier year are determined under these rules, 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 promotions shall be governed by the criteria and procedure for 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 for any period during which he has not actually performed the duties of the post to which he would have been promoted, shall be counted. The pay of a person who has been so promoted shall be re-fixed at the pay which he would have derived at the time of his promotion but no arrears of pay shall be allowed to him.

(12) The Government or the Appointing Authority, as the case may be, 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 reason e.g. change in seniority, wrong determination of vacancies, judgment/direction of any court or tribunal,

six weeks from the date of issue of order or longer, if extended by Appointing Authority, shall follow the order in which they have been placed in the list prepared under rule 26;

- (ii) if two or more persons are appointed to the service during the same year, a person appointed by promotion shall be senior to the persons appointed by direct recruitment;
- (iii) persons selected and appointed as a result of selection, which is not subject to review and revision, shall rank senior to the persons who are selected and appointed as a result of subsequent selection;
- (iv) seniority inter se 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.
- (v) reservation for Schedule Castes and Scheduled Tribes employees, with consequential seniority, shall continue till the roster points are exhausted, and adequacy of promotion is achieved. Once the roster points are complete, the theory of replacement shall thereafter be exercised in promotion whenever vacancies earmarked for Scheduled Castes/Scheduled Tribes employees occur. If on the application of these provisions, the Scheduled Castes/Scheduled Tribes employees who had been promoted earlier and are found in excess of the adequacy level, shall not be reverted and shall continue on ad-hoc basis, and also any employee who had been promoted in pursuance to Notification No.F.7(1)DOP/A-II/96 dated 1.4.1997 shall not be reverted.

Explanation: "Adequate representation" means 16% representation of the Scheduled Castes and 12% representation of the Scheduled Tribes in accordance with the roster point.

35. Period of probation.- (1) A person entering the service by direct recruitment against a clear vacancy shall be placed as probationer trainee for a period of 2 years:

Provided that 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 probationer trainee may be required to pass such Departmental Examination and to undergo such training as the Government may, from time to time, specify.

36. 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 methods of recruitment prescribed under these rules, has not been confirmed within a period of six months after satisfactory completion of the period of probation of two years

service in case he is appointed by direct recruitment or within a period of one year in case he is appointed by promotion, shall be entitled to be treated as confirmed in accordance with his/her seniority if;

- (i) he/she has worked on the post or higher post under the same Appointing Authority or would have so worked but for his/her deputation or training;
- (ii) he/she fulfils 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) If an employee referred to in sub-rule (1) above fails to fulfill the conditions mentioned in the said sub-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 fulfill 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 his satisfactory performance of his work are communicated to him within the said period of service.

(4) The reasons for not confirming of any employee referred to 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 on initial constitution of service in accordance with the rules made under the provisions of Article 309 of the Constitution of India;
- (b) appointment to the posts for which no service rules exists, if such posts are within the purview of the Commission, Recruitment Regulation and consultation with them;
- (c) appointment by transfer after regular recruitment where the service rules specifically permit; and
- (d) persons who have been made eligible for substantive appointment to a post under the 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.

(ii) 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.

37. Unsatisfactory progress during probation.- If it appears to the appointing authority, at any time, during or at the end of the period of probation, that the services of a probationer-trainee are not found to be satisfactory, the Appointing Authority may revert him/her to the post on which he/she is regularly selected immediately preceding his/her appointment as probationer-trainee or in other cases may discharge or terminate him/her from service. The appointing authority shall accord appropriate opportunity to the probationer-trainee before final orders are passed in this respect:

Provided that the appointing authority may, if it so thinks fit in any case or class of cases, extend the period of probation of any probationer-trainee by a specified period not exceeding one year.

38. Confirmation.- A person placed on probation under rule 35 shall be confirmed in his appointment at the end of his period of probation if-

- (a) he/she has passed the departmental examination and has successfully undergone such training as Government may, from time to time, specify;
- (b) he/she has passed a Departmental test of proficiency in Hindi; and
- (c) the Appointing Authority is satisfied that his/her integrity is unquestionable and that he/she is otherwise fit for confirmation.

39. Appointment of other officers.- In the event of non-availability of eligible persons of the department the Government may appoint officers on deputation, initially for two years which may be extended for one year. However, if the performance of an officer appointed on deputation is not found satisfactorily he may be sent back to his parent department before expiry of deputation period.

PART-VII

PAY

40. Scale of Pay.- The scale of monthly pay of person appointed to a post in the service shall be such as may be admissible under the rules referred to in rule 42 or as may be sanctioned by the Government, from time to time.

41. Pay during probation.- A probationer trainee appointed to the service by direct recruitment, shall be paid monthly fixed remuneration during the period of probation at such rates as may be fixed by the Government, from time to time.

Provided that an employee having been regularly selected as per provisions of recruitment rules in the Government Service may be allowed emoluments in his/her own

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 that such relaxation shall not be less favorable than the provisions already contained in these rules. Such cases of relaxation shall be referred to the Commission by the Administrative Department concerned.

Provided further that relaxation in the prescribed period of service or experience under this rule 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 Committee.

SCHEDULE -II
SUBORDINATE SERVICE

S. No.	Name of the post	Method of recruitment with percentage		Minimum qualification and experience for direct recruitment	Post from which promotion is to be made	Minimum qualification and experience for promotion
		Direct	Promotion			
1	2	3	4	5	6	7
1	Chemist	50%	50%	Master Degree in Chemistry with specialization in organic Chemistry from a University established by law in India	Chemical Assistant	B.Sc. with Chemistry and 5 years' experience on the post mentioned in column 6; or Higher Secondary (old scheme)/ Sr. Secondary with Chemistry and 7 years' experience on the post mentioned in column 6.
2	Chemical Assistant	50%	50%	B.Sc. with Chemistry from a University established by law in India	Laboratory Assistant	Higher Secondary (old scheme)/Sr. Secondary with Chemistry and 10 years' experience on the post mentioned in column 6.
3	Laboratory Assistant	50%	50%	Higher Secondary (old scheme)/Sr. Secondary with Chemistry of a recognized Board or its equivalent examination.	Laboratory Attendant	5 years' experience on the post mentioned in column 6 and certificate of Computer application from a Institution recognised by the State Government.
4	Laboratory Attendant	100%	-	Sr. Secondary or Higher secondary (old scheme) with Science subject of a recognized Board or its equivalent examination.	-	-

By order and in the name of the Government


(O.P. Gupta)

Joint Secretary to the Government

37/8015

**SCHEDULE -I
STATE SERVICE**

Sl. No.	Name of the post	Method of recruitment with percentage		Minimum qualification and experience for direct recruitment	Post from which promotion is to be made	Minimum qualification and experience for promotion	Remarks
		Direct	Promotion				
1	2	3	4	5	6	7	8
-	Chemical Examiner	-	100%	-	Assistant Chemical Examiner	5 years' experience on the post mentioned in column 6.	-
-	Assistant Chemical Examiner	-	100%	-	Chemist	Master Degree in Chemistry and 5 years' experience on the post mentioned in column 6; or 10 years' experience on the post mentioned in column 6.	-