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GOVERNMENT OF RAJASTHAN  
DEPARTMENT OF PERSONNEL  
( A-Gr.II )

...

No.F.3(33)DOP/A-II/85

Jaipur, dated : 8/12/99

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Rajasthan in consultation with the High Court of Judicature for Rajasthan, hereby makes the following rules further to amend the Rajasthan Subordinate Courts Ministerial Establishment Rules, 1986, namely:-

1. Short title and commencement:- (i) These Rules may be called the Rajasthan Subordinate Courts Ministerial Establishment (Amendment) Rules, 1999.  
(ii) They shall come into force with immediate effect.
2. Amendment of rule 3 :- (i) The existing clause (b) of rule 3 of the Rajasthan Subordinate Ministerial Establishment Rules, 1986 (hereinafter referred to as the said Rules) shall be deleted.  
(ii) In clause (i) of rule 3 of the said Rules, the expression "to a substantive vacancy" shall be deleted.
3. Amendment of rule 5 :- The existing sub-rule (ii) of rule 5 of the said Rules shall be substituted by the following, namely:-

"(ii) The staff shall comprise of a cadre of Senior Personal Assistant, Personal Assistant and Stenographer and a General Cadre consisting of one or more of the following categories of posts, as may be determined by the High Court, from time to time.

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(A) Senior Personal Assistant/Personal Assistant/Stenographer's Cadre :-

- (1) Senior Personal Assistants for the Courts of District and Sessions Judges.
- (2) Personal Assistants for the Courts of Additional District and Sessions Judges.
- (3) Stenographers for the Courts other than the Courts of District and Sessions Judges and Additional District and Sessions Judges.

(B) General Cadre:-

- (1) Senior Munsarim ;
- (2) Munsarim ;
- (3) Assistants ;
- (4) Readers for the Courts of District and Sessions Judges and Additional District and Sessions Judges ;
- (5) Readers to other Courts ;
- (6) Upper Division Clerks ;
  - (a) Senior Clerk ;
  - (b) Head Copyist ;
  - (c) Record Keeper ;
  - (d) Readers for the Courts other than the Courts of District and Sessions Judges & Additional District and Sessions Judges ;
  - (e) Civil Clerks in the Courts of District and Sessions Judges & Additional District and Sessions Judges ;
  - (f) Criminal Clerks in the Courts of District and Sessions Judges & Additional District and Sessions Judges ;
  - (g) Execution Clerks in the Courts of District and Sessions Judges & Additional District and Sessions Judges ;
  - (h) Sales Amin-cum-Return Clerks ; and
  - (i) Assistant Narars

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(7) Lower Division Clerks :

- (a) Civil Clerks,
- (b) Criminal Clerks,
- (c) Execution Clerks,
- (d) Assistant Record Keepers,
- (e) Librarians,
- (f) Inspection Clerks,
- (g) Typists,
- (h) Copyists,
- (i) Hindi Typists-cum-Copyists,
- (j) Receipt and Despatch Clerks, and
- (k) Relieving Clerks.

(8) Any other post, as may be sanctioned by the Government, from time to time.

4. Amendment of rule 6 :- (i) The existing clause (a) of rule 6 of the said Rules shall be substituted by the following, namely:-

"(a) to the cadre of Senior Personal Assistants/Personal Assistants/Stenographers,-

- (i) as Stenographers by direct recruitment,
- (ii) as Personal Assistants by promotion from Stenographers,
- (iii) as Senior Personal Assistants by promotion from Personal Assistants;

Provided that if a suitable person is not available amongst the Stenographers for promotion to the post of Personal Assistant, a person may be recruited to the post of Personal Assistant in accordance with these Rules."

(ii) In the proviso to clause (b) of rule 6 of the said Rules, the existing figure and percentage "10%" shall be substituted by the figure and percentage "15%".

(iii) After the existing rule 6 of the said Rules, the following new rule "6-A" shall be added, namely:-

"6-A : 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 the rules/Schedule of the total cadre strength as sanctioned for each category, from time to time."

(iv) The existing rule "6-A" of the said Rules, shall be re-numbered as rule "6-B".

5. Amendment of rule 7 :- After the existing rule 7 of the said Rules, the following new rules 7A, 7B and 7C shall be added, namely:-

"7-A: 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 the 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.

7-B : Reservation of vacancies for Woman Candidates :- Reservation of vacancies for woman candidates shall be 20% categorywise, in direct recruitment. In the event of non-availability of the eligible and suitable women 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 proportionately in the respective category to which the women candidates belong.

7C: Reservation of vacancies for Outstanding Sportspersons:- Reservation of vacancies for Outstanding Sportspersons shall be 2% of the total vacancies outside the purview of the Commission earmarked for direct recruitment. In the event of non-availability of the eligible and suitable sportspersons 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 sportspersons shall be treated as horizontal reservation and it shall be adjusted in the respective category to which the Sportspersons belong.

Explanation:- Outstanding Sportspersons" shall mean and include the sportspersons 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 their respective National Level Association, Federation or Board ; with the following descriptions ;

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.

6. Amendment of rule 8 :- The second para of the proviso to clause (e) of rule 8 of the said Rules, shall be deleted.

7. Amendment of rule 9 :- (i) In rule 9 of the said Rules, under the heading "Age" the existing expression "31 years" shall be substituted by the expression "33 years".

(ii) In the proviso (iii) to rule 9 of the said Rules, the existing figure and words "45 years" shall be substituted by the figure and words "50 years".

(iii) After the existing proviso (vii) to rule 9 of the said Rules, the following new provisos as (ix) and (x) shall be added, namely:-

"(ix) There shall be no age limit in the case of widows 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 divorce she will have to furnish the proof of divorcee.

(x) the upper age limit shall be relaxed by 2 years in the case of candidates belonging to Other Backward Classes."

8. Amendment of rule 10:-(i) In sub-rule (1) of rule 10 of the said Rules, the expression "Senior Personal Assistants/Personal Assistants/Stenographers' Cadre" shall be substituted for the expression "Stenographers' Cadre".

(ii) In clause (b) of sub-rule (1) of rule 10 of the said Rules, the word "provisional" appearing in the first line shall be deleted.

(iii) In sub-clause (i) to clause (b) of sub-rule (1) of rule 10 of the said Rules, the expression "Grade II" shall be deleted.

(iv) In sub-clause (ii) to clause (b) of sub-rule (1) of rule 10 of the said Rules :

(a) the expression "Stenographers Grade I" shall be substituted by the expression "Personal Assistants".

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- (b) the last portion beginning from the expression "and during" and ending at the expression "Schedule I" shall be deleted.
- (c) the proviso occurring at the last beginning from the expression "Provided that" and ending at the expression "District Judge" shall be deleted.

9. Amendment of rule 13:- In rule 13 of the said Rules, the expression "Commission/" wherever occurred shall be deleted.

10. Amendment of rule 14 :- (i) In sub-rule (iii) of rule 14 of the said Rules, the expression "merit alone" occurring in the last shall be substituted by the expression "seniority-cum-merit".

(ii) Sub-rule (iv) of rule 14 of the said Rules, shall be substituted by the following, namely :-

"(iv) No stenographer shall be promoted as Personal Assistant unless he passes a speed test as provided in these Rules, held by the Appointing Authority."

(iii) In sub-rule (v) of rule 14 of the said Rules, the expression "Personal Assistant and Stenographers" shall be substituted for the expression "Stenographer Grade I and Stenographer Grade II" appearing in the last sentence.

(iv) After the existing sub-rule (vii) of rule 14 of the said Rules, the following new sub-rule as (vii-A) shall be added, namely :-

"(vii-A) Selection to the post of "Senior Munsarim" shall be made from amongst the Munsarims on the basis of merit by the High Court, or by a person who may be authorised by the High Court for the purpose. No person shall be appointed as "Senior Munsarim" unless he has worked as "Munsarim" for a period of five years."



11. Amendment of rule 17:- In the first para of rule 17 under the heading "Inviting of applications" of the said Rules, after the existing expression "A" appearing in the last sentence, the expression "and 'B'" shall be added.
12. Amendment of rule 19:- The existing expression "Grade II" appearing in proviso to rule 19 and Note '(1)' of rule 19 of the said Rules, shall be deleted.
13. Renumbering of "PART" :- Existing expression "PART IV" appearing after rule 20 and before rule 21 of the said Rules, shall be substituted by the expression "PART IV-A".
14. Substitution of Heading:- The existing heading "Procedure for direct recruitment to the Stenographer Cadre" appearing below PART IV-A, as so renumbered, of the said Rules, shall be substituted by the heading "Procedure for direct recruitment to the Senior Personal Assistant/Personal Assistant/Stenographer Cadre".
15. Amendment of rule 21 :- Existing expression "Stenographer Cadre" appearing in rule 21 of the said Rules, shall be substituted by the expression "Senior Personal Assistant/Personal Assistant/Stenographer Cadre".
16. Amendment of rule 26 :- (i) The existing **rule** 26, except its provisos viz. (i), (ii) and (iii) of the said Rules shall be substituted by the following, namely:-

"26 : Seniority :- Seniority in service shall be determined from the date of substantive appointment on the post and if such date is the same in the case of more than one person, than according to their respective positions on the next lower posts.



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(ii) In the "Explanation" to second proviso to rule 26 of the said Rules, the word "Permanent" shall be substituted by the word "substantive".

(iii) After the existing proviso (iii) to rule 26 of the said Rules, the following new proviso as (iv) shall be added, namely:-

"(iv) If a candidate belonging to the Scheduled Caste/Scheduled Tribe is promoted to an immediate higher post/grade against a reserved vacancy earlier than his senior General/Other Backward Class candidate who is promoted later to the said immediate higher post/grade, the General/Other Backward Class Candidate will regain his seniority over such earlier promoted candidate of the Scheduled Caste/Scheduled Tribe in the immediate higher post/grade."

17. Amendment of rule 27:- In the existing rule 27 the following proviso shall be added, namely:-

"Provided that if a candidate belonging to the Scheduled Caste/Scheduled Tribe is promoted to an immediate higher post/grade against a reserved vacancy earlier than his senior General/Other Backward Class Candidate who is promoted later to the said immediate higher post/grade, the General/other Backward Class Candidate will regain his seniority over such earlier promoted candidate of the Scheduled Caste/Scheduled Tribe in the immediate higher post/grade."

18. Amendment of rule 28 :- The existing second proviso to sub-rule (1) of rule 28 of the said Rules, shall be deleted.

19. Amendment of rule 29 :- The existing rule 29 of said Rules shall be deleted.

20. Amendment of rule 34:- The existing proviso to rule 34 of the said Rules shall be deleted.

21. Amendment of rule 35:- After the existing rule 35 of the said Rules, the following new rule as 35-A shall be added, namely:-

"35-A : The employees who, by an order of the High Court, have worked, during winter holidays, may be compensated by compensatory casual leave in the next Calendar Year."

22. Amendment of rule 36:- After the existing rule 36 of the said Rules, the following proviso shall be added, namely:-

"Provided that the powers exercisable under the aforesaid rules and the orders by the Government shall be exercisable by the High Court."

23. Amendment of Schedule I :- (i) The expression "Grade II" wherever appearing in 'Part II' of 'Schedule I' of the said Rules shall be deleted.

(ii) Note- '1' and '2' "given under Group 'B' of Part-II of Schedule I of the said Rules shall be deleted.

(iii) The expression "Stenographers Grade-I" wherever appearing in Part II of Schedule I of the said Rules shall be substituted by by the expression "Personal Assistants".

(iv) The existing word "Commission" appearing in second line under the existing heading "FOR STENOGRAPHER GRADE-I" of Part-II of Schedule I of the said Rules, shall be substituted by the words "Appointing Authority".

24. Amendment of Schedule II :- Under the heading Form 'B' of Schedule II of the said Rules, the expression with in bracket "(For Stenographers)" shall be substituted by the expression with in bracket "(For Personal Assistants/Stenographers)".

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25. Amendment of Schedule IV:- In Schedule IV of the said Rules, the expression "rule 23-A" shall be substituted by the expression "rule 24-A".

By Order and in the name of the  
Governor,



( S.N.Sharma )

Deputy Secretary to the Government.

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