

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

NOTIFICATION

No. *F. 3(33)DOP/AE/05*

Jaipur, dated.....*6/07/2010*.....

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 :- (1) These rules may be called the Rajasthan Subordinate Courts Ministerial Establishment (Amendment) Rules, 2010

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

2. Amendment of Rule 9 :- The existing rule 9 of Rajasthan Subordinate Courts Ministerial Establishment Rules, 1986 (herein after referred to as the said rules) shall be substituted by the following :-

“9 Age :- A candidate for direct recruitment to any cadre must have attained the age of 18 years and must not have attained the age of 35 years on the last date fixed for submission of the application.

Provided that:-

- (i) the upper age limit shall be relaxed by 5 years in the case of a member of Scheduled Castes, Scheduled Tribes and Other Backward Classes.
- (ii) the upper age limit shall be relaxed by 5 years in case of woman candidates.

- (iii) the upper age limit for reservists, namely defence services personnel transferred to the reserve shall be 50 years.
- (iv) the upper age limit shall be relaxable for a period equal to the service rendered in the N.C.C. in the case of Cadet instructors & if the resultant age does not exceed the prescribed maximum age limit by more than 3 years, they shall be deemed to be within the prescribed age limit.
- (v) there shall be no restriction as to age for a candidate already serving in connection with the affairs of the State in a substantive or temporary capacity, having been so appointed prior to his attaining the age of 35 years.
- (vi) there shall be no age limit in the case of persons repatriated from East African countries of Kenya, Tanganyika, Uganda & Zanzibar.
- (vii) that 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 his conviction and was eligible for appointment under the Rules.
- (viii) that 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 over age before conviction and was eligible for appointment under the Rules.
- (ix) there shall be no age limit in the case of widows and divorcee 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 the case of divorcee she will have to furnish the proof of divorce."

3. Insertion of Rule 14A :- After rule 14 of the said Rules, the following rule 14A shall be inserted :-

“14A. Disqualification for promotion :- A Government Servant shall be disqualified for promotion for five recruitment years from the date his promotion becomes due after commencement of these rules, if he has more than two children.

Provided that if a Government servant had single child on the date of commencement of these rules but more than one child are born in a single subsequent delivery, the children so born shall be treated as one while counting the total number of children.

Provided further that for purpose of this rule birth of a child within 280 days from the date of commencement of these rules shall not constitute disqualification.

4. Insertion of new sub-rule 4 in Rule 20 :- After sub-rule (3) of rule 20 of the said rules the following sub-rule (4) shall be inserted :-

“(4) No candidate shall be eligible for appointment if he has more than two children.

Provided that the candidate having more than two children on the date of commencement of these rules shall not be deemed to be disqualified.

Provided further that where a candidate has only one child from earlier delivery but more than one child is born out of a single subsequent delivery, the children so born shall be deemed to be one entity while counting the total number of children.

Provided also that for the purpose of this sub-rule birth of a child within 280 days from the date of commencement of these rules shall not constitute disqualification.”

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5. Amendment of Rule 24 :- The existing rule 24 of the said rules shall be substituted by the following :-

"24. Departmental Examination :- The persons appointed to the posts of Lower Division Clerks and Munsarims shall be required to pass a Departmental Examination prior to their being confirmed after completion of probation or for being considered for promotion to higher cadres. The examination shall be conducted by the concerned District and Sessions Judge and the Syllabus of examination shall be as given in Schedule-IV."

By order and in the name of the Governor

AS
(Nalini Kathotia)
Deputy Secretary to Government

32/2010