

259. THE RAJASTHAN VIDHI RACHNA SERVICE RULES. 1981

G.S.R 4: 7.-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 posts in, and the conditions of Service of persons appointed to the Rajasthan Vidhi Rachna Service, namely :-

THE RAJASTHAN VIDHI RACHNA SERVICE RULES. 1981

PART-I

General

1. Short title and commencement.- (1) These rules may be called the Rajasthan Vidhi Rachna (State and Subordinate) Service Rules, 1981.

(2) They shall come into force from the date of publication in the Rajasthan Rajpatra.

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

(a) "Appointing Authority" means the Government of Rajasthan;

(b) "Commission" means the Rajasthan Public Service Commission;

(c) "Committee" means a Committee referred to in rule 28;

(d) "Direct Recruitment" means recruitment made according to the procedure prescribed in Part IV of these rules;

(e) "Government" and "State" mean respectively, the Government of Rajasthan and the State of Rajasthan;

(f) "Member of the Service" means a persons appointed substantively to a post in the Service under the provisions of these rules or orders superseded by the rule 11 of these rules and includes a probationer;

(g) "Service" means the Rajasthan Vidhi Rachna (State and Subordinate) service;

(h) "Schedule" mean a Schedule appended to these rules;

(i) "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 methods of recruitment prescribed under these rules" will include recruitment either on initial Constitution of Service or in accordance with the provisions of any Rule promulgated under proviso to Article 309 of the Constitution of India, except an urgent temporary appointment; and

(j) "Service" or "Experience" wherever prescribed in these rules as a condition for promotion within the Service from one category to another or to senior posts in the case of person holding such posts in substantive, capacity shall include the period for which the person has continuously worked on such posts after regular recruitment and shall also include the experience gained by officiating, temporary or ad hoc appointment, if such appointment is in the regular line or promotion and was not of stop-gap or fortuitous nature or invalid under any law and does not involve suppression of any senior official except when such suppression was either due to want of prescribed academic and other qualifications, unfitness or the default of the senior official concerned or when such ad hoc or urgent temporary appointment was in accordance with seniority-cum-merit.

Note :-Absence during service e.g. training and deputation etc. which are treated as 'duty' under the Rajasthan Service Rules, 1951, shall also be counted as service for computing minimum experience or service required for promotion.

3. Interpretation.- Unless the context otherwise requires the Rajasthan General Clauses Act, 1956 (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 posts included in the Service shall be as specified in Column 2 of Schedule-I.

(2) The strength of posts in the Service shall be determined by the Government, from time to time :

Provided that the Government, may-

(a) create any post, permanent or temporary from time to time, as may be found 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 any post, permanent or temporary, from time to time, without thereby entitling any person to any compensation.

PART-III

Recruitment

6. Methods of Recruitment.-(1) Recruitment to the posts in Service after the commencement of these rules shall be made by the following methods in the proportion as indicated in Column 3 of Schedule I :-

(a) by direct recruitment in accordance with the procedure prescribed in Part-IV of these rules, and

(b) by promotion in accordance with the procedure prescribed in Part-V of these rules, :

Provided that-

(i) if the Appointment 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 other method in relaxation of the prescribed proportion, may be made in the same manner as specified in these rules:

(ii) nothing in these rules shall preclude the Appointing Authority from appointing officers who were immediately before 1-11-1956, in the employment of pre-reorganization States of Ajmer, Bombay and Madhya Bharat to suitable posts in Schedule-I in accordance with the directions governing the integration of their services;

(iii) that if the appointing Authority is satisfied in consultation with the Commission that no suitable person is available for promotion to the posts of Deputy Secretary, Vidhi Rachna Sangathan/Vidhi Rachna Adhikari these posts may be filled in temporarily, till the Members of the Service become eligible for promotion, from among the Members of other services of the the Rajasthan Judicial Service or the Rajasthan Higher Judicial Service: and

(iv) the persons not covered by rule 5, who were appointed to the posts of Vidhi Rachna Adhikari included in Schedule-I in ad hoc/ officiating temporary basis continuously for a period not less than 1 year on 1-1-1977 and were working as such on the date these rules come into force shall be screened by a Committee referred to in rule 28 for adjudging their suitability on the posts held provided they possess the requisite qualifications prescribed in the rules either for direct recruitment or promotion or the prescribed qualifications on the basis of which such persons were selected ad hoc/officiating temporary appointment. This provision shall be subject to the following conditions viz.

(a) A person appointed on ad hoc basis shall not be entitled to screening for a post higher than to which he was initially appointed, if a person senior to him on lower post who fulfilled qualifications prescribed for the post was either not given such ad hoc appointment or is not entitled to screening under this rule Seniority for this purpose shall be determined according to length of continuous service on a post [:]

(b) the Committee appointed under these rules for adjudging suitability by screening either as an exception of 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 not right to be appointed on a lower post, for such lower post being offered to him by absorption and thereupon such an employee shall be treated as surplus employee under the provisions of the Rajasthan Civil Services (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 provision of screening under provision (iii) has been intended to be the first step and after exhausting the vacancies required for screened persons irrespective of direct recruitment and promotion quota, the direct recruitment and promotion quota shall be applied.

(2) Notwithstanding anything contained in these rules, the recruitment, appointment, promotion, seniority and confirmation etc. of person who joins the Army/Air Force/Nav Y during an Emergency shall be regulated by such orders and instructions as may be issued by the Government, from time to time, provided there are regulated manatees mutand i s 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 --
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 posts falling in its purview and by the Appointing Authority in other cases. the Departmental Promotion Committee or the appointing Authority, as the case may be. in the case of promotees, irrespective of their relative rank as compared with the 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. in accordance with the normal procedure and an 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 thereafter such reservation would lapse:

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

8. 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, Ceylon and East African Countries of Kenya, Uganda and the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire Ethiopia and Vietnam with the intention of permanently settling in India:

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be person in whose favor a certificate of eligibility has been given 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.

9. Condition 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.

10. Determination of vacancies.- (1) (a) Subject to the provisions of these rules, the Appointing Authority shall determine every year the number of existing vacancies and those anticipated during the following twelve months and the number of persons likely to be appointed to the Service by each method. The next determination of vacancies shall be done just before the expiry of twelve months of the last determination of vacancies.

(b) In calculating the actual number of vacancies to be filled in by each method on the basis of percentage prescribed in the Schedule-I the Appointing Authority shall adopt an appropriate continuous cyclic order to correspond with the proportion laid down in the Schedule-I by giving precedence to promotion quota.

(2) The Appointing Authority shall determine every year the number of existing vacancies and those anticipated in next twelve months which are to be filled by promotion of persons already in the service.

(3) The Appointing Authority shall also determine the corresponding vacancies of earlier year, if any, Year wise which were required to be filled in by promotion, if such vacancies not determined and filled earlier in the year in which they were required to be filled in accordance with sub-rule (2).

11. Age.- A candidate for direct recruitment to the posts enumerated in the Schedule-I must have attained the age of 21 years and must not have attained the age of 31 year on the first day of January next following the last date fixed for receipt of applications:

Provided

(1) that the upper age-limit mentioned above, shall be relaxed by 5 years in the case of Women candidates and the candidates belonging to the Scheduled Caste or the Scheduled Tribes;

(2) 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 posts before conviction and was eligible for appointment under the rule;

(3) that the- upper age-limit mentioned above, shall be relaxable by a period equal to the term of imprisonment served in the case of an ex-prisoner who was not overage before his conviction and was eligible appointment under the rules;

(4) that the persons appointed temporarily to a post in the Service shall be deemed to be within the age-limit had they been within the age limit when they were initially appointed even though they may have crossed the age-limit when they appear finally before the Commission and shall be allowed up-to two chances had they been eligible as such at the time of there initial appointment;

(5) that 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 maximum age-limit by more than three years. they shall be deemed to be within the prescribed age-limit;

(6) Notwithstanding anything contrary contained in these Rules in the case of persons serving in connection with the affairs of the State in substantive capacity, the upper age limit shall be 4 years for direct recruitment to posts filled in by competitive examinations or in case of posts filled in through the Commission by interview.

(7) that the Released Emergency Commissioned Officers and Short Service Commissioned Officers after release from t he Army shall be deemed to be within the age-limit even though they have crossed the age-limit when they appear before the Commission had they been eligible as such at the time of their joining the Commission in the Army.

12. Academic and Technical Qualifications and Experience.-A candidate for direct recruitment to the Post enumerated in Schedule-I shall possess-

(i) the qualifications and experience given in Column 4 of the Schedule-I, and

(ii) working knowledge of Hindi written in Devanagri Script and one of the Rajasthan dialects.

13. Character. _ The character of a candidate for direct recruitment must be such as to qualify him for employment in the Service. He must produce a certificate of good character from the Principal Academic Officer of the School or College or University 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 persons not connected with his School or College or University and not related to him.

Note :-(1) A conviction by a Court of Law need not of itself involve the refusal of a 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 of 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 a disqualification.

1. Subtituted vide noti. No. F 1(5) DOP/A-II/82 dated 18.08.89

2. Deleted vide noti. No. F 7(8) DOP/A-II/74 dated 26.06.97

(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 their previous conviction for purposes of employment in the service. Those who are convicted of offences not involving moral turpitude or violence, shall be deemed to have been completely reformed on the production of a report 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 is 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.'

14. 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 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 promoted in the regular line of promotion, or who is already serving in connection with the affairs of the State if he has already been medically examined or the previous appointment and the essential standard of Medical examination of the two posts held by him are held to be comparable for efficient performance of duties of the new post and his age has not reduced his efficiency for the purpose.

15. Employment of irregular or improper means.-A candidate who is or has been declared by the Commission guilty of impersonation or of submitting fabricated document or documents which are incorrect or false or of suppressing material information or of using or attempting to use unfair means or of the examination or interview or otherwise resorting to any other irregular or improper means for obtaining admission to the examination or interview, may in addition to rendering himself liable to criminal prosecution, be debarred either permanently or for a specified period :-

(a) by the Commission from admission to any examination or appearance at any interview held by the Commission for selection of candidates;

(b) by the Government from employment under the Government.

16. Canvassing. - No recommendation for direct recruitment either written or oral other than that required under 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 for recruitment.

PART-IV

Procedure for Direct Recruitment

17. Frequency of examination.- A competitive examination for direct recruitment to the service shall be held every year unless the Government in consultation with the

Commission decide not to hold the examination in any particular year.

18. Authority for conducting the examination and syllabus .- An examination for direct recruitment to the Service shall be conducted by the Commission in accordance with the syllabus prescribed in Schedule-II :

Provided that the syllabus may be revised by the Government, from time to time, as it may deem fit in consultation with the Commission.

19. Inviting of applications.- Applications for direct recruitment to posts in the Service shall be invited by the Commission by advertising the vacancies to be filled in, in the official gazette or in such other manner, as may be deemed fit.

20. Admission to the Examination.- (1) No candidate shall be admitted to any of the examination unless he holds a certificate of admission to that examination granted by the Commission. Before granting such a certificate, the Commission shall satisfy themselves that the application has been made strictly in accordance with the provisions of these rules:

Provided that the Commission may at their discretion allow any bona fide mistake made in filling of the prescribed form or presentation of the application to be rectified or any certificate or certificates not furnished with the application to be furnished in ten days before the commencement of the examination.

(2) The decision of the Commission as to the eligibility or otherwise of a candidate for admission to the examination shall be final.

21. Form of Application.-The application shall be made in the form approved by the Commission and obtainable from the Secretary to the Commission on payment of such fee as the Commission may, from time to time fix.

22. Examination fee.- (1) A candidate for direct recruitment post in the Service must pay the fee fixed by the Commission in such manner as may be indicated by them.

23 Viva.Voce.- candidates who obtain such minimum qualifying marks in the written examination as may be fixed by the Commission in their discretion shall be summoned by them for an interview for a personality test which will be carry 50 marks. The Commission may in its discretion award grace mark up to one in each paper and up to three in the candidate. The mark so awarded shall be added to the marks obtained in the written test by each candidate.

The Scheduled Castes and the Scheduled Tribes candidates shall be paid both ways actual railway fare of the lowest class by passenger train beyond 80 kilometer in accordance with the orders of the Government to appear at the Viva- Voce test. Other candidates shall appear in the Viva-Voce test at their own expense.

24. Recommendations of the Commission.-The Commission shall prepare a list of the candidate whom. They comelier suitable for appointment to the posts concerned, arranged in the order of merit. The Commission shall forward the list to the Appointing Authority:

Provided that the Commission may, to the extent of 50% of the advertised vacancies,

keep names of suitable candidates on the reserve list. The Commission may, on requisition recommend the names of such candidates in the order of merit to the Appointing Authority within six months from the date on which the original list is forwarded' by the Commission to the Appointing Authority. _

25. (3) If as a result of such rectification, the Commission discovers that the candidate becomes eligible for selection. Such fact shall be, immediately and in any case not later than 40 days from the announcement of the result, reported to the Government and to that extent the recommendations of the Commission made under rule 24 shall stand protanto modified.

26. Disqualification for Appointment. - (1) No male candidate who has more than one wife living shall be eligible for appointment to the Service unless Government, after being satisfied that there are special grounds for doing so, exempt any candidate from the operation of this rule.

(2) No female candidate who is married to a person having already a wife shall be eligible for appointment to the Service unless Government, after being satisfied that there are special grounds for doing so, exempt any female candidate from the operation of this rule.

(3) No married candidate shall be eligible for appointment to the Service if he/she had at the time of his/her 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).

27. Selection by the Appointing Authority.- Subject to the provisions of rule 7. The Appointing Authority, shall select candidates who stand highest in the order of merit in the list prepared under rule 24:

Provided that the 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 - VI

Appointment Probation and Confirmation

29. Appointments to the Service.- Appointments to posts in the Service by direct recruitment or by promotion, as the case may be, shall be made by the Government on occurrence of substantive vacancies from the candidates selected under rule 27 in order of merit and by promotion from the persons selected under rule 28 and persons adjudged suitable under proviso (iv) to rule 6.

30. Urgent Temporary Appointment.- (1) A vacancy in the Service which cannot be filled in immediately either by direct recruitment or by promotion under the rules may be filled in by the Appointing Authority or, by the authority competent to like appointments, as the case may be, by appointing in an officiating capacity there to an officer eligible for appointment to the post by promotion or by appointing temporarily there to a person eligible [or direct recruitment to the Service, where such direct recruitment has been provided under

the provisions of these rules :

Provided that such an appointment will not be continued beyond a period of one year with referring the case to the Commission for concurrence, where such concurrence is necessary and shall be terminated immediately on its refusal to concur:

Provided further that in respect of a post in the Service for which both the above method of recruitment have been prescribed, the Appointing Authority or the Authority competent to make appointment, as the case may be, shall not, save with the specific and prior permission of the Government in the Department of Personnel and Administrative Reforms fill in 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 recruitment of eligible for promotions, the Government may notwithstanding the conditions 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 sub-rule (1).

31. Seniority- Seniority of persons appointed to the lowest post of the Service or lowest categories of posts 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 in other higher posts in the Service or other higher categories of posts 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 posts:

Provided-

(i) that the seniority inter se of persons appointed to the Service before the commencement of these rules and/or in the process of integration of the Service of the pre-reorganization State of Rajasthan or the Service of new State of Rajasthan established by the States-Re-organization Act, 1956, shall be determined, modified or altered by the Appointing Authority on an ad hoc basis;

(ii) that the seniority inter se 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, extended by the Appointing Authority shall follow the order in which their names have been placed in the list prepared under rule 27:

(iii) that the persons selected and appointed as a result of a selection, which is not subject to review and revision, shall rank senior to the persons who were selected and appointed as a result of subsequent selection. 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.

(iv) that the inter se seniority of persons adjudged suitable under proviso (iv) to rule 6 shall be determined by the Appointing Authority on the recommendations of the Committee

referred to in rule 28.

32. Period of Probation. -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 suppression of all senior person or disturb the order of their preference in respective quota or 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 probationer may be required to pass such Departmental Examinations and to undergo such training as the Government may, from time to time, specify.

Explanation.-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 Departmental Examinations in the rule regarding confirmation shall be deemed to have been waived in case of death or retirement.

33. Confirmation in certain cases -(a) Notwithstanding anything contained in rule 32, if no order of confirmation is issued by the Appointing Authority within a period of six months an employee appointed on temporary or officiating basis who has after the date of his regular recruitment by either method of recruitment completed a period of two years service, or less in the case of those appointed by promotion where the period of probation prescribed is less, on the post or a higher post under the same Appointing Authority or would have so worked but for his deputation or training, shall on the occurrence of permanent vacancies be entitled to be treated as confirmed if the same conditions as are prescribed under the Rules for the confirmation of a probationer are fulfilled subject to the quota prescribed under the Rules and in accordance with his seniority:

34. 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 a 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 case may discharge or terminate him from Service

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 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 by promotion to such post:

Provided further that the Appointing Authority may, if it so thinks fit in case 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 the above proviso, during the period of probation, if a probationer is placed under suspension, or disciplinary proceedings 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.

35. Confirmation.-A person placed on probation under rule 32 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 32;

(b) He has passed a 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

36. Scale of Pay.- The scale of monthly pay of a person appointed to 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.

37. Increments probation.- A probationer shall draw increment in the scale of pay admissible to him during the period of in accordance with the provisions of the Rajasthan Service Rules.

38. Criteria for crossing efficiency Bar.- No member of the Service shall be allowed cross an efficiency Bar unless in the opinion of the Appointing Authority he has worked satisfactorily and his integrity is unquestionable.

39. Regulation of Pay, Leave, Allowances, and Pension etc. - Except as provided in these rules the pay allowances, Pension leave and other conditions of service of the member of the Service shall be regulated by :-

1. the Rajasthan Civil Services (Unification of Pay Scales) Rules, 1950, as amended from time to time;

2. the Rajasthan Service Rules, 1951, as amended from time to time;

3. the Rajasthan Civil Services (Rationalization of Pay Scale) Rules, 1956, as amended from time to time;
4. the Rajasthan Civil Services (Classification, Control and Appeal) Rules, 1958, as amended from time to time;
5. the Rajasthan Civil Service revised Pay Scales) Rules, 1961, as amended from time to time;
6. the Rajasthan traveling Allowances Rules, 1971, as amended from time to time;
7. the Rajasthan Civil Services (New Pay Scales) Rules, 1969, as amended from time to time;
8. the Rajasthan Civil Services (Revised New pay Scales) Rules, 1976, as amended from time to time, and
9. any other rules prescribing general condition 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 Government in the Department of Personnel and Administrative Reforms whose decision there on shall be final .

41. Repeal and Saving.- All rules and orders 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 superseded 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 relating 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 of the provisions of these rules with respect of age or experience of any person it may with the concurrence of the department of the personnel and Administrative Reforms 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 that such relaxation shall not be less favorable than the provisions already contained in these rule. Such case of relaxation shall still be referred to the Rajasthan Public Service Commission by the Department of Personnel and Administrative Reform (Department of Personnel)

SCHEDULE-I

S. No.	Name of the post	Method of recruitment	Qualifications for direct recruitment	Post from which promotion is to be made	Experience for promotion	Remarks
1	2	3	4	5	6	7
1.	Deputy Secretary Vidhi Rachana Sangathan	100% by promotion	..	Vidhi Rachana Adhikari	5 years' service on the post mentioned in Column 5	..
2.	Vidhi Rachana Adhikari	100% by promotion	..	Varishtha Vidhi Rachnakar	5 years' service on the post mentioned in Column 5	..
3.	Varishtha Vidhi Rachnakar	100% by promotion	..	Vidhi Rachnakar	5 years' service on the post mentioned in Column 5	..
4.	Vidhi Rachnakar	100% by recruitment	<p>1. Bachelor of Law 2 years course under the old Scheme and 3 years course under the new Scheme or a Bachelor of Law (professional) of a University established by law in India.</p> <p>2. Must have had English and Hindi as the subjects (at least one of them being optional) in the B.A. examination.</p>			

SCHEDULE-II

Syllabus for Competitive Examination for the post of Vidhi Rachanakar The Competitive Examination shall include the following subject:-

1. Translation from English to Hindi or in any other 100 Marks
Language recognized by the Constitution.
(Candidates shall be required to translate into Hindi
or some other language passages from press Communiqués,
press articles, Government Resolutions, Legislation,
rules and instructions and to explain common expression,
clutches etc. in use in such compositions.)
2. Translation from Hindi or other particular language into 100 Marks
English. (Candidates shall be required to translate into
English or some other language passage from press articles,
speeches etc.)

Note:- The time allowed for the two written papers shall be 3 hours each.

Deduction will be made from marks assigned to candidates on account of
bad handwriting.

[Noti. No. F. 1(5) DOP/A-II/78 dt. 12.08.1981-R.G. Ex. Pt. IV-C(1) dt. 14.08.1981. p. 123
(1).]