

[First published in the Rajasthan Rajpatra, Part IV(C),  
dated 20-11-1958.]

APPOINTMENTS (D) DEPARTMENT  
NOTIFICATION

Jaipur, October 24, 1958

No. F. 21 (5) Appts. (C)/55.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Rajasthan makes the following rules regulating recruitment to posts in, and conditions of service of persons appointed to the Rajasthan Service of Inspectors of Factories and Boilers.

THE RAJASTHAN SERVICE OF INSPECTORS  
OF FACTORIES AND BOILERS RULES, 1958.

PART I—General.

1. *Short title and commencement.*—These rules may be called the Rajasthan Service of Inspectors of Factories and Boilers Rules, 1958 and shall come into force at once.

2. *Supersession of existing rules and orders.*—All existing rules and orders in relation to matters covered by these rules [stand superseded] but any action taken by or in pursuance of such existing rules and orders shall be deemed to have been taken under these Rules.

3. *Status of the Service.*—The Rajasthan Service of Inspectors of Factories and Boilers is a State Service.

4. *Definitions.*—In these Rules, unless there is anything repugnant in the subject or context:—

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

(b) "Government and State" mean respectively, the Government of Rajasthan and the State of Rajasthan.

(c) "Service" means the Rajasthan Service of Inspectors of Factories and Boilers; and

(d) "Member of the Service" means a person appointed substantively to a post in Service under the provision of these Rules or the rules or orders superseded by rule 2.

\* Substituted for the words "are hereby superseded" vide Notification No. F. 21 (5) Appts. (C)/55, dated 4-10-1962.

% Substituted for—"(b) 'Government and State' mean respectively the Government and the State of Rajasthan" vide Notification No. F. 7(10) D.O.P./A-II/74, dated 10-2-1975.



% (e) "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 method of recruitment prescribed under these Rules" will include recruitment either on initial Constitution of Service or in accordance with the provision of any rules promulgated under proviso to Article 309 of the Constitution of India, except an urgent temporary appointment.

\*(f) 'Service' or 'Experience' wherever prescribed in these Rules as a condition for promotion from one Service to another or within the Service from one category to another or to senior posts in the case of person holding such posts in substantive capacity shall include the period for which the person has continuously worked on such post after regular recruitment in accordance with the rules promulgated under proviso to Article 309 and shall also include the experience gained by officiating, temporary or *ad hoc* appointment, if such appointment is in the regular line of promotion and was not of stop-gap or fortuitous nature or invalid under any law and does not involve supersession of any senior official, except when such supersession was either due to want of prescribed academic and other qualifications, unfitness or non-selection by merit 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:—Absences during service e. g., training and deputation which are treated as "duty" under the R. S. R., shall also be counted as service for computing minimum experience or service required for promotion.

% Inserted vide Notification No. P. 7 (3) D.O.P (A-II)/73, dated 5-7-1974.

\* Inserted vide Notification No. P. 6 (2) Appnts. (A-II)/71-I, dated 9-10-1975. Effective from 27-3-1973.

§ Inserted vide Notification No. P. 6 (2) Appnts. (A-II)/71, dated 13-7-1976, Effective from 1st day of October, 1975.



5. *Interpretation.*—Unless the context otherwise requires, the Rajasthan General Clauses Act, 1955 (Rajasthan Act No. VIII of 1955) shall apply for the interpretation of these Rules, as it applies for the interpretation of a Rajasthan Act.

## PART II—Cadre.

\*6. *Strength of the Service.*—The Service shall consist of the following categories of posts:—

(1) Chief Inspector of Factories and Boilers.

@ (2) Senior Inspectors of Factories and Boilers.

(3) Inspectors of Factories and Boilers.

The strength of the Service and nature of posts thereunder shall be such as may be notified by the Government, from time to time:

Provided that Government may leave unfilled, hold in abeyance or abolish any vacant post without thereby entitling any person to compensation or may increase cadre by creating permanent or temporary post in the Service, from time to time, as may be found necessary.

\* Substituted for —“Rule 6. *Strength of the Service.*—The strength of the Service is as specified below:—

(I) Chief Inspector of Factories & Boilers	1
(II) Inspectors of Factories & Boilers	6
(III) Medical Inspector of Factories	1
<b>Total</b>	<b>8</b>

Provided that Government may leave unfilled, hold in abeyance or abolish any vacant post without thereby entitling any person to compensation or may create additional permanent or temporary posts in the Service, from time to time, as may be found necessary, vide Notification No. P. 21 (5) Appts./C/55, dated 4-10-1962.

@Substituted for the expression (2) “Inspectors of Factories & Boilers” vide Notification No. P. 20 (5) L & B/58 dated 22-8-1969.



## PART III—Recruitment

\*7. Source of recruitment.—(1) Recruitment to the posts of Inspectors of Factories and Boilers, after the commencement of these Rules, shall be made by selection through the agency of the Commission in accordance with Part IV of these Rules.

(2) Appointment to the post of Senior Inspector of Factories and Boilers shall be made from amongst the members of the Service in the next lower cadre in accordance with Part V of these rules:

Provided that if the Government, on the advice of the Commission, do not consider any Inspector of Factories and Boilers to be suitable for promotion as Senior Inspector of Factories and Boilers and the Senior Inspector of Factories and Boilers, for promotion as Chief Inspector of Factories and Boilers, the post shall be filled by direct recruitment through the agency of the Commission on such terms and conditions as may be prescribed by the Government.

%7-A. Notwithstanding anything contained in the recruitment, appointment, promotion, seniority and confirmation etc., of a person who joins the Army/Air Force/Navy during an Emergency shall be regulated by such orders and instructions as may be issued by the Government from time to time. Provided that these are regulated *mutatis mutandis* according to the instructions issued on the subject by the Government of India.

The above amendment shall be deemed to have come into force with effect from 29-10-1963.

\* Substituted for—"Rule 7. Source of recruitment.—Recruitment to the post of Inspector of Factories and Boilers as also of the Medical Inspector of Factories after the commencement of these Rules, shall be made by selection through the agency of the Commission. Appointment to the post of Chief Inspector shall be made by promotion."

Provided—

(1) That the post of Medical Inspector of Factories may be filled up by the deputation of an officer from the Rajasthan Medical and Health Services\* (Class II) for a period not exceeding four years; and

(2) That if Government on the advice of the Commission do not consider any Inspector of Factories and Boilers as suitable for promotion as Chief Inspector of Factories and Boilers, the post may be filled by direct recruitment through the agency of the Commission, on such terms and conditions as may be prescribed by Government," vide Notification No. F. 20(53) L. & B. 58, dated 22-8-1960.

\* Inserted vide Notification No. P. 21(12) Appnta. (C)/55, Part-II, dated 29-8-1973.



\*8. *Reservation of vacancies for the Scheduled Castes and the Scheduled Tribes.*—(1) Reservation of vacancies for the Scheduled Castes and the Scheduled Tribes shall be in accordance with the orders of the Government for such reservation in force at the time of recruitment i. e. by direct recruitment and promotion.

(2) The vacancies so reserved for promotion shall be filled in by merit alone.

(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 appeared in the list prepared for direct recruitment by the Commission, for posts 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 be in the case of promotee, irrespective of their relative rank as compared with other candidates.

%(4) Appointment 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 Scheduled Castes and Scheduled Tribes, as the case may be, in a particular year, the vacancies so reserved for them shall be filled in accordance with the normal procedure, and 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.

\*Substituted for—"Rule 8. *Reservation of vacancies for Scheduled Castes and Scheduled Tribes.*—Reservation of vacancies for Scheduled Castes and Scheduled Tribes shall be in accordance with the orders of Government for such reservation in force at the time of recruitment.

Note:—Reservation shall be calculated on the basis of total vacancies. Adjustment of fractions shall be made over a period of five years. Promotion shall be irrespective of caste considerations." vide Notification No. F. 7(4) D. O. P. (A-11)/73, dated 3-10-1973.

† Substituted for "merit-cum-seniority" vide Notification No. F. 7(6) D. O. P. (A-11)/76-III, dated 31-10-1975.

% Substituted for sub-rule (4) of rule 8.

"In the event of non-availability of a sufficient number of eligible and suitable candidates amongst the Scheduled Castes and the Scheduled Tribes in a particular year, vacancies shall not be carried forward and shall be filled in accordance with the normal procedure." vide Notification No. F. 7(10) D. O. P. (A-11)/74, dated 10-2-1976.



6.

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

29. *Determination of vacancies.*—(1) Subject to the provisions of these Rules, the Appointing Authority shall determine each year the number of vacancies anticipated during the following twelve months and the number of persons likely to be recruited by each method. Such vacancies shall be determined again before the expiry of 12 months of the last termination of such vacancies.

(2) In calculating the actual number to be filled by each method on the basis of the percentage prescribed in column 3 of the Schedule, appended with relevant Service Rules, each Appointing Authority shall adopt an appropriate cyclic order to correspond with the proportion laid down in each of the Service Rules by given presidency to promotion quota over direct recruitment quota e.g., where the appointment by direct recruitment and promotion is in the percentage of 75 and 25, respectively, the cycle shall run as follows:—

1. By promotion,
2. By direct recruitment,
3. By direct recruitment,
4. By direct recruitment,
5. By promotion,
6. By direct recruitment,
7. By direct recruitment,
8. By direct recruitment,
9. By promotion, and so on.

@ Deleted the words "both 'Merit' and 'Seniority-cum-merit' and not by seniority-cum-merit" vide Notification No. F. 7 (6) D. O. P. (A-11) 75-111 dated 31-10-1976. Effective from the date of publication in the Rajasthan Rajpatra.

1 Substituted for—"Rule D. "Determination of vacancies. —Subject to the provisions of these Rules, Government shall determine from time to time the number of vacancies in the Service anticipated during a particular period recruitment and the number of persons likely to be recruited." vide Notification No. F. 7(1) D. O. P. (A-11)/73, dated 10-10-1973.



%10. *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, Shri 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 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.

% Substituted for Rule 10. "*Nationality*.—A candidate for appointment to the service must be:—

- (a) a citizen of India, or
- (b) a subject of Sikkim, or
- (c) a subject of Nepal, or
- (d) a subject of Bhutan, or
- (e) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (f) 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) with the intention of permanently settling in India:

Provided that a candidate belonging to categories (c), (d), (e) and (f) shall be a person in whose favour a certificate of eligibility has been given by the Government of India and if he belongs to category (f) the certificate of eligibility will be issued for a period of one year, after which such a candidate will be retained in service subject to his having acquired Indian citizenship.

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 as the case may be, and he may also provisionally be appointed subject to the necessary certificate being given to him by the Government. vide Notification No. P. 7(4) D O P (A-II)/76, dated 7-9-1976.

\* Inserted vide Notification No. P. 7(4) D.O.P. (A-II)/76, dated 4-8-1977.



%10-A. Notwithstanding anything contained in these Rules provision 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 in the subject by the Government of India.

\*Provided—

@(i) that the upper age-limit for Service must have attained the age of £(23 years) and must not have attained the age of £(35 years) on the date of application:

\*\*\*Provided.—(i) that the upper age-limit for Jagirdar's including Jagirdar's sons who did not have any sub-Jagir subsistence shall be forty years.

Note:—This relaxation will remain in force for a period ending †1st January, 1962.

\*\* (ii) that the maximum age-limit prescribed in the rule shall be deemed to have been further raised by 5 years in the case of candidates belonging to the Scheduled Castes or Scheduled Tribes.

\*\* (iii) that the maximum age limit prescribed in the rule shall not be applicable to those working in the department who may apply for direct recruitment to the higher post.

+ Note:—In the case of women candidates the upper age-limit shall be raised by five years.

% Added vide Notification No. F. 7(5) D.O.P. (A-11)/76, dated 20-6-1977.

£ Substituted for "21 and 30 years" respectively vide Notification No. F. 21(5) Appts./C/55, dated 15-3-1960.

\* Added vide Notification No. F. 3(9) Appts./D/59, dated 5-8-1959.

in Figure (i) Added vide Appts. 'D' Department Notification No. F. 21(5) Appts./C/55, dated 15-3-1960.

† Substituted for "31st December, 1961" vide Notification No. F. 3(9) Appts. (D) 59, dated 12-10-1962.

\*\* Provisions (ii) and (iii) added vide Notification No. F. 21 (5) Appts. (C)/55, dated 15-3-1960.

+ Added vide Notification No. F. 1(12) Appts. (D)/60, dated 10-11-1960.



†(iv) provided that the upper age-limit for the reservists, namely the defence service personnel transferred to the reserve, shall be 50 years.

££(v) that the upper age-limit for the political sufferers shall be 40 years till the 31 December, 1964.

*Explanation:*—The expression 'political sufferers' for the purposes of this rule shall have the meaning assigned to it under clause (iii) of rule 2 of the Rajasthan Political Sufferers Aid Rules, 1959, published in Part IV (C) of Rajasthan Gazette, dated 18th June, 1959.

@(vi) that the persons appointed temporarily shall be deemed to be within the age-limit, had they been within the age-limit when they were initially appointed even though they 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 their initial appointment.

% (vii) that the upper age-limit mentioned above shall be relaxable 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.

\*(viii) notwithstanding anything contained contrary 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 40 years for direct recruitment to posts filled in by competitive examinations or in case of posts filled in

†- Added vide Notification No. F. 3(9) Apppts. (C)/58, dated 27-8-1962.

££ Added vide Notification No. F. 1(16) Apppts. (A-II)/02, dated 31-5-1963.

@ Added vide Notification No. F. 1(26) Apppts. (A-II)/02, dated 18-9-1965.

% Added vide Notification No. 1(10) Apppts. (A-II)/00 dated 11-4-1967 and Corrigendum of even No. dated 15-12-1971.

\* Inserted vide Notification No. F. 7(8) D. O. P. (A-II)/74, dated 31-12-1974 (w. o. f. 28-10-1974).



through the Commission by interview. This relaxation shall not apply to urgent temporary appointments.

% (ix) 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.

% (x) 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 overage before his conviction and was eligible for appointment under the Rules.

£ (xi) that the Released Emergency Commissioned Officers and Short Service Commissioned Officers after release 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 had they been eligible as such at the time of their joining the Commission in the Army.

†12. *Academic and technical qualifications.*—A candidate for direct recruitment to the post of Inspector of Factories and Boilers:—

(a) must hold a degree in Mechanical Engineer-

% Added — "sub-ruled (ix) and (x) of rule 11" vide Notification No. F. 5(6) D.O.P. (A-II)/74, dated 18.4.1975. Effective from 28.8.1961.

£ Inserted vide Notification No. F. 7(2) D.O.P. (A-II)/75, dated 20.9.1975.

† Substituted for— "Rule 12. *Academic and technical qualifications.*—(1) A candidate for direct recruitment to the post of Inspector of Factories and Boilers—

(a) must hold a degree in Engineering or a diploma equivalent to a degree in any branch of engineering, Technology or Medicine of a University established by Law in India, or a degree or diploma of a University or Institution declared by Government to be equivalent to a degree in Engineering of a University established by Law in India and

(b) must possess a working knowledge of Hindi written in Devnagri script and of Rajasthani dialects.

(c) other things being equal, preference may be given to candidates who have experience of management, repairs or inspection of boilers, practical experience of at least 2 years in public hospital or Medical Department of a factory or alternatively or diploma-holders in Industrial Medicine.

(2) As regards recruitment to the post of Medical Inspector of Factories the candidate must have obtained the degree of M. B., B. S. of a recognised University and Diploma in Industrial Hygiene (D. I. H.) or its equivalent. Candidates possessing experience in Toxicological Laboratory work and in research of Industrial diseases and sickness among factory workers and hazardous occupation will be preferred." vide Notification No. F. 21 (5) A/C/55, dated 4-10-1962.



ing of a University established by Law in India or a degree or diploma of a foreign University or Institution declared by Government to be equivalent to a degree in Mechanical Engineering of a University established by Law in India; and

(b) must possess working knowledge of Hindi written in Devnagri script and of Rajasthani dialects;

(c) other things being equal, preference may be given to candidates who have experience of management, repairs or inspection of boilers, or working in a factory.

\*13. *Character*.—The character of a candidate for direct recruitment to the Service, 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 University or College in which he was last educated and two such certificates written not more than six months prior to the date of application, from two responsible persons not connected with his College or University, and not related to him.

\* Substituted for—"Rule 13. *Character* :—The character of a candidate for recruitment to the Service 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 University or College in which he was last educated and two such certificates written not more than six months prior to the date of application from two responsible persons not connected with his 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 a movement which has as its object the overthrow by violent means of Government as by law established, the mere conviction need not be regarded as a disqualification.

*Note* :—2. Ex-Prisoners who by their disciplined life while in prison and by their subsequent good conduct have proved to be completely reformed should not be discriminated against on grounds of the previous conviction for purposes of employment in the Service. Those who are convicted of offences not involving moral turpitude shall be deemed to have been completely reformed on the production of a report to that effect from the Superintendent, After-care Home or if there are no such Homes in a particular district, from the Superintendent of Police of that district. Those convicted of offences involving moral turpitude shall be required to produce a certificate from the Superintendent, After-care Home 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 prisons and by their subsequent good conduct in an After-care Home, vide Notification No. P. 21 (5), App'ts, O/56, dated 4-10-1932.



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 overthrow by violent means of Government as by law established, the mere conviction need not be regarded as a disqualification.

(2) Ex-prisoners who by their disciplined life while in prison and by their subsequent good conduct have proved to be completely reformed, should not be discriminated against on grounds of 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 to that effect from the Superintendent, After-care Home or if there are no such Homes in a particular District, from the Superintendent, of Police of that District.

Those convicted of offences involving moral turpitude or violence shall be required to produce a certificate from the Superintendent, After-care Home, 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 or bodily health and free from any mental or 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

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% Substituted for—"Rule 14 *Physical Fitness*.—A candidate for direct recruitment to the Service, must be in good mental and bodily health and free from any mental or physical defect likely to interfere with the efficient performance of his duties as a member of the Service and if selected must produce a Certificate to that effect from a Medical Authority notified by Government for the purpose." vide Notification No. P. 7(2) D. O. P. (A-II)/74, dated 5-7-1974.



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 for the previous appointment and the essential standards of medical examination of the two posts held by him are to be comparable for efficient performance of duties of the new post and his age has not reduced his efficiency for the purpose.

@14A. *Employment by irregular or improper means.*—A candidate who is or has been declared by the Commission/Appointing Authority, guilty of impersonation or of submitting fabricated documents which have been tampered with or of making statements, which are incorrect or false or of suppressing material information or using or attempting to use unfair means in the examination or interview or otherwise resorting to any other irregular or improper means for obtaining admission to the examination or appearance at any interview, shall, in addition to rendering himself liable to criminal prosecution, be debarred either permanently or for a specified period:—

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

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

£15. *Qualifying service for promotion as Senior Inspector or Chief Inspector.*—(1) For purposes of promotion to the post of Senior Inspector of Factories and Boilers, a person should have held the post of Inspector of Factories and Boilers for a minimum period of five years % (and should be substantive on the post.)

@ Added vide Notification N. F. 1 (33) Appts. (A-11)/02, dated 20-8-1905.

£ Substituted for—"Rule 15. *Qualifying service for promotion to the post of Chief Inspector of Factories and Boilers.*—For purposes of promotion to the post of Chief Inspector of Factories and Boilers, a person should have held the post of Inspector of Factories and Boilers for a minimum period of 10 years including five years service in substantive capacity. vide." Notification No. F. 20 (53) L. & B/58, dated 22-8-1909.

% Substituted for the words "in a substantive capacity" vide Notification No. F. 20(63) Lab./58, dated 10-10-1976.



(2) For purposes of promotion to the post of Chief Inspector of Factories and Boilers, a person should have held the post of Senior Inspector of Factories and Boilers for a minimum period of five years @ (and should be substantive on the post).

16. *Canvassing*.—No recommendation for recruitment either written or oral other than that required under the rules shall be taken into consideration. Any attempt on the part of a candidate to enlist support directly or indirectly for his candidature by other means may disqualify him for recruitment.

#### PART IV—Procedure for recruitment.

17. *Inviting of applications*.—Applications for recruitment to the Service shall be invited by the Commission, by advertising the vacancies to be so filled in the Rajasthan Gazette or in such other manner as they may deem fit:

\*Provided that while selecting candidates for the vacancies so advertised, the Commission may, (i) if intimation of additional requirement is sent to the Commission before the selection, and (ii) if suitable persons are available keep on their reserve list more candidates whose number shall not exceed 50% of the advertised vacancies. %The names of such candidates may, on requisition, be recommended in the order of merit to the Appointing Authority within six months from the date on which the original list is forwarded to the Appointing Authority.

%%18. *Form of Application*.—The application shall be made in the form prescribed by the Commission and obtainable from the Secretary to the Commission on payment of such fee as the Commission may from time to time prescribe.

@ Substituted for the words "in a substantive capacity." vide Notification No. F. 20(53) Lab./58, dated 10-10-1975.

\* Added vide Notification No. F. 3(12) Apppts. (D)/50, dated 22-9-1960.

% Substituted for "The names of such candidates may be recommended on requisition to the Appointing Authorities within six months from the date of interviews." vide Notification No. F. 1 (27) Apppts. (A-II)/69, dated 13-12-1973.

%% Substituted for—"Rule 18. *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." vide Notification No. F. 7(2) D. O. P. (A-II)/73, dated 5-11-1973.



\*19. *Application fee.*—A candidate for direct recruitment to a post in the Service must pay to the Commission, such fees as are fixed by them.

#### ANNEXURE 'A'

	<i>For competitive examinations</i>	<i>For interviews</i>
1. State Service	50.00	20.00
2. Subordinate Service carrying pay scales not lower than Rs. 110-225.	30.00	10.00
3. Ministerial Services carrying pay scales lower than Rs. 110-225.	20.00	5.00

In the case of candidates belonging to Scheduled Castes/Tribes these shall be one-fourth in all cases.

Form of application shall be obtainable from the Commission free of charge.

20. *Scrutiny of application.*—The Commission shall scrutinise the applications received by them and require as many candidates qualified for appointment under these Rules as seem to them desirable to appear before them for interview.

21. *Recommendation of the Commission.*—The Commission shall prepare a list of the candidates whom they consider suitable for appointment to the Service arranged in order of preference and forward the same to Government:

(a) Provided that the Commission, may to the extent of 50% of the advertised vacancies keep names of suitable candidates on the reserve list. The names of such candidates may on requisition, be recommended in the order of merit to the Government within six months from the date on which the original list is forwarded by the Commission to the Government.

\*Substituted for-- "Rule 19, *Application fee.*—A candidate for recruitment to the Service must pay to the Commission, in such manner as may be prescribed by the Commission an application fee of Rs. 17.5 or Rs. 10 if he is a member of a Scheduled Caste or Scheduled Tribe," vide Notification No. F. 1(2) Appts. D/00, dated 21-6-1962.

@Added vide Notification No. F. 1(27) Appts. (A-II)/00, dated 25-10-1971.



%21A. *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 living 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) Deleted.

XX(4) No married candidates 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).

22. *Selection by Government.*—Subject to the provisions of rule 8, Government shall select the candidates, who stand highest in order of merit in the list prepared by the Commission under rule 21 provided that it is satisfied after such enquiry as may be considered necessary that such candidates are suitable in all @ [other] respects for appointment to the Service.

% Inserted vide Notification No. F. 7(3) D. O. P. (A-II)/70, dated 21-5-1970

£ Deleted — "Sub-rule (3). No candidate male or female who has more than three children shall be eligible for appointment to the Service unless one of the spouses has undergone sterilisation or in the case of a female candidate she is above 46 years of age;

Provided that any married candidate male or female, who had no child for the last 10 years shall be exempted from the operation of this sub-rule.

*Explanation:*—(i) For the purpose of this sub-rule, a child shall include an adopted child or a step-child; and

(ii) For claiming exemption under the proviso to this sub-rule, the candidate shall have to produce a certificate either from a Registered Medical Practitioner or swear an affidavit to the effect that the age of his or her youngest child is not less than 10 years." vide Notification No. F. 7(3) D. O. P. (A-II)/70

dated 15-2-77.

XX Inserted vide Notification No. F. 15(9) D. O. P. (A-II)/74, dated 5-1-1977.

@ Inserted vide Notification No. F. 21(5) Apppts. (C)/86, dated 4-10-1982.



# PART V—Procedure for promotion to senior post

—23. *Procedure for selection.*— (1) As soon as it is decided that a certain number of posts shall be filled by promotion, the @ (Chief Inspector of Factories and Boilers) shall prepare a correct and complete list containing names not exceeding five times the number of vacancies out of the senior-most persons who are qualified under the rules for promotion to the class of posts concerned.

£ *Explanation:*—Is case direct recruitment to a post has been made earlier than regular selection for promotion in a particular year, such of the persons, who are or were eligible for appointment to that post by both the methods of recruitment first, shall also be considered for promotion.

% No officer shall be considered for promotion unless he is substantively appointed and confirmed on the next lower post. If no officer substantive in next lower post is eligible for promotion, officers who have been appointed on such post on officiating basis after selection in accordance with one of the methods of recruitment or under any Service Rules promulgated under proviso to Article 309 of the Constitution of India may be considered for promotion on officiating basis only in the order of seniority in which they would have been, had they been substantive on the said lower post.

—Substituted for—“Rule 23, *Procedure for selection.*—As soon as it is decided that a vacancy of Chief Inspector of Factories and Boilers is to be filled up substantively or in an officiating capacity during the course of a year, the Labour Commissioner shall consider the cases of permanent Inspectors of Factories and Boilers on the basis of seniority cum merit and draw up a list of such candidates arranged in order of seniority. He shall submit the list along with character rolls, personal files and other relevant information considered necessary by him, if any, for final selection before the Committee consisting of (1) Chairman, Public Service Commission or a member nominated by him, (2) Secretary, Labour Department, (3) Labour Commissioner and (4) a representative of Appointments Department not below the rank of Deputy Secretary. The Committee shall then consider the cases of all candidates included in the list interviewing such of them as they consider necessary and send the names of suitable candidates as well as those superseded, if any, for approval of the Government.” vide Notification No. P. 20 (53) Lab./58, dated 22-8-1960.

@ Substituted for the words “Labour Commissioner,” vide Notification No. P. 1(26) Lab./72, dated 5-3-1973.

£ Added vide Notification No. F. 7(1) D.O.P. (A-II)/75, dated 20-9-1975, Effective from the date of Gazette publication.

% Inserted in “sub-rule (1) of rule 23” vide Notification No. F. 7(1) D.O.P. (A-II)/74, dated 5-7-1974.



(2) The Committee consisting of the Chairman or the Commission or when the Chairman is unable to attend, any other Member thereof nominated by him, the Secretary to the Government in the Labour Department <sup>or the Special Secretary concerned nominated by him,</sup> the Special Secretary to the Government in the Department of Personnel or his representative not below the rank of the Deputy Secretary, the Chief Engineer, Rajasthan State Electricity Board or his representative not below the rank of Additional Chief Engineer and the Chief Inspector of Factories and Boilers (who shall be the Member-Secretary of the Committee), shall consider the cases of all persons included in the list prepared under sub-rule (1) interviewing to such of them as the Committee may consider necessary and shall prepare a list containing names of suitable candidates up to twice number of such posts as are indicated in sub-rule (1).

The Chairman or the member of the Commission shall preside at the meetings of the Committee.

(3) The Committee shall also prepare a separate list containing names of persons who may be selected to fill officiating vacancies already existing or are likely to occur till the next meeting of the Committee.

(a) the list so prepared shall be reviewed and revised every year;

(b) the list shall ordinarily remain in force until it is reviewed and revised in accordance with clause (a).

(4) The names of the candidates selected as suitable shall be arranged in the order of seniority.

(5) The lists prepared, by the Committee shall be sent to the Government. The lists so received by the Government together with confidential rolls and personal files of the officers whose names are included therein as also of those who are proposed to be superseded on the basis of recommendation made by the Committee, shall be forwarded to the Commission for their advice.



(6) The Commission shall consider the lists prepared by the Committee along with other documents received from the Government and unless they consider any changes necessary, shall approve the lists. If the Commission considers it necessary to suggest any changes in the list, the Commission shall inform the Government of the changes proposed to be made. The Government may, approve the lists finally with such modifications as may in their opinion be just and proper.

%23A. *Revised criteria, eligibility and procedure for promotion to junior, senior and other posts encadred in the Service.*—(1) As soon as the Appointing Authority determines the number of vacancies under rule regarding determination of vacancies of these Rules and decides that a certain number of posts are required to be filled in by promotion, it shall, subject to provisions of sub-rule, (a) prepare a correct and complete list of the senior persons who are eligible and qualified under these Rules for promotion on the basis of seniority-cum-merit or on basis of merit to the class of posts concerned.

(2) The persons enumerated in column 5 or the relevant column regarding "post from which promotion is to be made", as the case may be, of the relevant Schedule shall be eligible for promotion to posts specified against them in column 2 thereof to the extent indicated in column 3 subject to their possessing minimum qualifications and experience on the first day of the month of April of the year of selection as specified in column 6 or in the relevant column regarding "minimum qualification and experience for promotion", as the case may be.

(3) No person shall be considered for promotion unless he is substantively appointed and confirmed. If no person substantive in the next lower post is eligible for promotion, persons who have been appointed on such post on officiating basis after selection in accordance with one of the methods of recruitment or under any Service Rules promulgated under proviso to Article 309 of the Constitution of India, may be considered for promotion on officiating basis only in the order of seniority in which they would have, had they been substantive on the said lower post.

*Explanation:*—In case direct recruitment to a post has been made earlier than regular selection