

by 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 and have been appointed by direct recruitment first, shall also be considered for promotion.

(4) Selection for promotion in the regular line of promotion from the post/posts not included in Service to the lowest post or category of post in the Service shall be made strictly on the basis of merit and on the basis of seniority-cum-merit in the proportion of 50:50:

Provided that if the Committee is satisfied that suitable persons are not available for selection by promotion strictly on the basis of merit in a particular year, selection by promotion on the basis of seniority-cum-merit may be made in the same manner as specified in these Rules.

(5) Subject to the provisions of sub-rule (7), selection for promotion from the lowest post or category of post in the State Service to the next higher post or category of post in the State Service and for all posts in the Subordinate Services and in the Ministerial Services shall be made strictly on the basis of seniority-cum-merit from amongst the persons who have passed the qualifying examination if any, prescribed under these Rules, and have put in at least five years' service, unless a different period is prescribed elsewhere in these Rules, on the first day of the month of April of the year of selection on the post or category of post from which selection is to be made:

Provided that in the event of non-availability of the persons with the requisite period of service of five years, the Committee may consider the persons having less than the prescribed period of service, if they fulfil the qualifications and other conditions for promotion prescribed elsewhere in these Rules, and are found otherwise suitable for promotion on the basis of seniority-cum-merit.

(6) Selection for promotion to all other higher posts or higher categories of posts in the State Service shall be made on the basis of merit and on the basis of seniority-cum-merit in the proportion of 50:50:

Provided that if the Committee is satisfied that suitable persons are not available for selection by promotion strictly on the basis of merit in a particular year, selection by promotion on the basis of seniority-cum-merit may be made in the same manner as specified in these Rules.

*(7) Selection for promotion to the highest post/ posts in the State Service shall always be made on the basis of merit alone:

Provided that—

(a) in a Service or Groups or Sections thereunder, where there are only two scales e. g. junior scale or senior scale and there is only one promotion then promotions shall be made on the basis of seniority-cum-merit alone.

(b) in a Service or Groups or Sections thereunder, where there are three scales e. g. junior scale, senior scale and selection scale and there are two promotions then promotion shall be as under:—

(i) first promotion on the basis of seniority-cum-merit;

(ii) second promotion on the basis of seniority-cum-merit and merit in the proportion of 50:50.

(c) in Services or Groups or Sections thereunder, where there are more than two promotions then first promotion shall be made on the basis of seniority-cum-merit alone and promotions to subsequent higher posts shall be made on the basis of seniority-cum-merit and merit in the proportion of 50:50 except to the highest post.

(8) The persons having been selected and appointed by promotion to a post or category of post on the basis of merit, shall be eligible for promotion to the next higher post or category of post, which is to be filled in by merit, only when they have put in after regular selection, at least five years' service, unless a higher period of service is prescribed elsewhere in these Rules, on the first day of the month of April of the year of selection on the post or category of post from which selection is to be made:

* Substituted sub-rule (7) of rule 23-A for "Selection for promotion to the highest post or high categories of posts in the State Service shall always be made on the basis of merit alone," vide Notification No. P. 7(10) D. O. P. (A-II)77, dated 12.5.1978.

Provided that the condition of five years' Service shall not be applicable to a person if any person junior to him is eligible for consideration for promotion on the basis of merit:

Provided further that in the event of non-availability of persons, equal to the number of vacancies to be filled in, eligible for promotion in the category of posts next lower from which promotion is made, the Committee may consider the persons having less than five years' service if they are found otherwise suitable for promotion on the basis of merit alone.

Explanation:—If any doubt arises about the categorisation of the post as the lowest, next higher or highest post in the Service, the matter shall be referred to the Government in the Department of Personnel and Administrative Reforms whose decision thereon shall be final.

(9) The zone of consideration of persons eligible for promotion shall be as under:—

| (i) Number of vacancies. | Number of eligible persons to be considered |
|--------------------------|---|
|--------------------------|---|

| | |
|----------------------|-------------------------------------|
| (a) 1 to 5 vacancies | 4 times of the number of vacancies. |
|----------------------|-------------------------------------|

| | |
|-----------------------|---|
| (b) 6 to 10 vacancies | 3 times, but at least 20 eligible persons to be considered. |
|-----------------------|---|

| | |
|------------------------|---|
| (c) Above 10 vacancies | 2 times, but at least 30 eligible persons to be considered. |
|------------------------|---|

(ii) For the highest post in a Service—

(a) if promotion is from one category of post eligible persons up to five in number shall be considered for promotion;

(b) if promotion is from different categories of posts in the same pay scale, eligible persons up to two in number from each category of posts in the same pay scale shall be considered for promotion;

(c) if promotion is from different categories of posts carrying different pay scales, eligible persons in the higher pay scale shall be considered for promotion

first and if no suitable person is available for promotion on the basis of merit in the higher pay scale then only the eligible persons of other categories of posts in lower pay scales shall be considered for promotion and so on so forth. The zone of consideration for eligibility in this case shall be limited to five senior-most eligible persons in all.

(10) Except as otherwise expressly provided in this rule, the conditions of eligibility for promotion, constitution of the Committee and procedure for selection shall be the same as prescribed elsewhere in these Rules.

(11) The Committee shall consider the cases of all the senior-most persons who are eligible and qualified for promotion to the class of posts concerned under these Rules, and shall prepare a list containing names of the suitable persons equal to the number of existing vacancies and the vacancies anticipated to occur during the next twelve months after determination of vacancies. The Committee shall also prepare a separate list containing the names of persons equal to 50% of the persons selected in the aforesaid list or select one more person if the number of vacancies is one only, who may be considered suitable to fill temporary or permanent vacancies, which may occur till the next meeting of the Committee, on a temporary or officiating basis and the list so prepared shall be reviewed and revised every year and shall remain in force until it is so reviewed and revised. The lists so prepared on the basis of merit and on the basis of seniority-cum-merit shall be arranged in the order of seniority on the category of post from which selection is to be made. Such lists shall be sent to the concerned Appointing Authority together with the Annual Confidential Rolls and Personal Files of all the candidates included in them as also those not selected, if any.

Explanation:—For the purpose of selection on the basis of merit, the list of officers graded as 'Outstanding' and 'Very Good' shall be classified in the First category in the order of seniority, the officers graded as 'Good' shall be classified in the Second category in the order of seniority and the officers graded as 'Average' and 'Not-Selected' shall be

classified in the Third category. The officers graded and classified in the Second category list shall be placed below the officers graded and classified in the First category list and such officers shall be appointed from this category only if the officers graded and classified in the first category list is exhausted otherwise they shall not be appointed to the Service by promotion. The officers graded and classified in the third category list shall not be considered for appointment by promotion.

(12) Where consultation with the Commission is necessary the list prepared by the Committee shall be forwarded to the Commission by the Appointing Authority along with the Personal Files and Annual Confidential Rolls of all the persons whose names have been considered by the Committee.

(13) The Commission shall consider the lists prepared by the Committee along with other relevant documents received from the Appointing Authority and, unless any change is considered necessary, shall approve the lists. In case the Commission consider it necessary to make any change in the lists received from the Appointing Authority, it shall inform the Appointing Authority of the changes proposed by it. After taking into account the comments of the Commission, if any, the Appointing Authority may approve the lists finally with such modifications, as may, in its opinion, be just and proper and when the Appointing Authority is an authority subordinate to the Government, the lists approved by the Commission shall be disturbed only with the approval of the Government.

(14) Appointments shall be made by the Appointing Authority taking persons out of the lists finally approved under the preceding sub-rule (13) in the order in which they have been placed in the lists, till such lists are exhausted or reviewed and revised, as the case may be.

(15) The Government may issue instructions for provisionally dealing with promotions, appointments or other ancillary matters in an equitable and fair manner of persons who may be under suspension, or against whom

departmental proceeding is under progress, at the time promotions are considered to a post to which they are eligible or would have been eligible but for such suspension or pendency of such enquiry or proceedings.

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

9. Substituted for—'Rule 23—A. Revised Criteria, Eligibility and Procedure for Promotion to Junior, Senior and other posts encadred in the Service:—

(1) Selection for promotion in the regular line of promotion from the post not included in the Service to the lowest post or category of post in the Service shall be made strictly on the basis of merit.

(2) Subject to the provisions of sub-rule (4), selection for promotion from the lowest post or category of post in the Service to the next higher post or category of post in the Service and for all posts upto Scale No. 11 sanctioned under the Rajasthan Civil Services (new pay scales) Rules, 1959 or equivalent scales as may be declared by the Government from time to time shall be made solely on the basis of seniority-cum-merit from amongst the persons who have passed the qualifying examination if any, prescribed under these Rules, and have put in at least five years' service, unless a different period is prescribed elsewhere in these Rules, on the first day of the month of April of the year of selection on the post or category of post from which selection is to be made:

Provided that in the event of non-availability of the persons with the requisite period or service of five years, the Committee may consider the persons having less than the prescribed period of service, if they fulfil the qualifications, experience and other conditions for promotion prescribed elsewhere in these Rules and are found otherwise suitable for promotion on the basis of seniority-cum-merit.

Provided further that in respect of posts included in the State Services in which the method of recruitment to the lowest post provides for appointment by promotion, and where such posts are required to be filled on the basis of seniority-cum-merit under this sub-rule, the Committee may select for promotion such persons of outstanding merit available within the zone of consideration, who may not be selected on the basis of seniority-cum-merit, to the extent of one-fourth of the number of vacancies to be filled in by promotion and if the number of vacancies exceeds one but is less than four, the Committee may select one person on the basis of merit alone and if the vacancies are more than four and the calculation of the number of vacancies to be filled by merit alone according to the aforesaid basis results in a fraction the Committee may select one more person against a fraction of half or more. On being so selected for the purpose of determination of seniority, each person shall be deemed to have been selected on the basis of seniority-cum-merit.

(3) Selection for promotion to all other higher posts or higher category of post in the Service shall be made on the basis of merit alone.

(4) Selection for promotion to the highest post or highest category of post in the Service shall always be made on the basis of merit alone.

(5) The persons having been selected and appointed by promotion to a post or category of post on the basis of merit, shall be eligible for promotion to the next higher post or category of post, which is to be filled in by merit, only when they have put in after regular selection at least five years' service, unless a higher period of service is prescribed elsewhere in these Rules, on the first day of the month of April of the year of selection on the post or category of post from which selection is to be made:

Provided that the condition of five years' service shall not be applicable to a person if any person, junior to him is eligible for consideration for promotion on the basis of merit;

(Contd.)

(contd.)

Provided further that in the event of non-availability of persons, equal to number of vacancies to be filled in, eligible for promotion in the category of next next lower from which promotion is made, the Committee may consider the persons having less than five years' service, if they are found otherwise eligible and suitable for promotion on the basis of merit alone.

Explanation:—If any doubt arises about the categorisation of the post as lowest, next higher or highest post in the Service the matter shall be referred to the Government in the Department of Personnel whose decision thereon shall be final.

(6) The zone of eligibility for promotion shall be fixed on the basis of the number of vacancies to be filled in, eligible for promotion in the category of next next lower from which promotion is made, as the case may be. Provided that in case of non-availability of sufficient number of persons for selection on the basis of merit, the Committee may consider persons of outstanding merit outside the zone of eligibility within six times the number of vacancies to be filled in on the basis of merit.

(7) Except as otherwise expressly provided in this rule, the zone of eligibility for promotion, constitution of the Committee and procedure thereof shall be the same as prescribed elsewhere in these Rules.

(8) The Committee shall consider the cases of all the candidates who are eligible and qualified for promotion in the category of next next lower from which promotion is made, as the case may be, and shall prepare a list containing names of the suitable persons, equal to the number of vacancies and the vacancies anticipated to occur within the next twelve months. The Committee shall also prepare a separate list containing names of persons equal to 50% of the vacancies, which may be considered suitable to fill temporary or permanent vacancies, which may occur till the next meeting of the Committee on a temporary or continuing basis. The list so prepared shall be reviewed and revised every year and shall remain in force until it is so reviewed and revised.

The lists so prepared on the basis of merit shall be arranged in order of preference and the list prepared on the basis of seniority shall be arranged in order of seniority on the category of post from which selection has been made. Such lists shall be sent to the concerned Appointing Authority together with the Annual Confidential Rolls and Personal Files of all the candidates included in them as also of those not selected if any.

Explanation:—The list of preference shall classify the officers in order as: outstanding, very good and good on the basis of merit. In each class the officers shall maintain their inter seniority of the next lower grade.

(9) Where consultation with the Commission is necessary the lists prepared by the Committee shall be forwarded to the Commission by the Appointing Authority along with the Personal Files and Annual Confidential Rolls of all the persons whose names have been considered by the Committee.

(10) The Commission shall consider the lists prepared by the Committee, with other relevant documents received from the Appointing Authority. If any change is considered necessary, the Commission may refer the matter to the Appointing Authority for its consideration.

(11) The Commission may, if it is satisfied that the lists prepared by the Committee are not in conformity with the provisions of these Rules, direct the Appointing Authority to revise the lists and forward them to the Commission for its consideration.

(12) The Commission may, if it is satisfied that the lists prepared by the Committee are not in conformity with the provisions of these Rules, direct the Appointing Authority to revise the lists and forward them to the Commission for its consideration.

(13) The Commission may, if it is satisfied that the lists prepared by the Committee are not in conformity with the provisions of these Rules, direct the Appointing Authority to revise the lists and forward them to the Commission for its consideration.

(14) The Commission may, if it is satisfied that the lists prepared by the Committee are not in conformity with the provisions of these Rules, direct the Appointing Authority to revise the lists and forward them to the Commission for its consideration.

(15) The Commission may, if it is satisfied that the lists prepared by the Committee are not in conformity with the provisions of these Rules, direct the Appointing Authority to revise the lists and forward them to the Commission for its consideration.

(16) The Commission may, if it is satisfied that the lists prepared by the Committee are not in conformity with the provisions of these Rules, direct the Appointing Authority to revise the lists and forward them to the Commission for its consideration.

@24. (Deleted.)

£25. (Deleted.)

PART VI—Appointments, probation and confirmation

26. *Appointments to the Service.*—Appointments to the Service shall be made by Government on occurrence of substantive vacancies in the cadre of the Service in the manner prescribed by % (rules 22 and 23).

27. *Appointment on contract.*—*(Notwithstanding anything contained in these Rules) Government may, with the concurrence of the Commission, appoint a person on contract for a period not exceeding an initial period of two years, to the post of Chief Inspector of Factories and Boilers.

+28. *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 Government or by the %% (Authority competent to make appointments) as the case may be, by appointing in an officiating capacity thereto an officer eligible for appointment to the post by promotion or by appointing temporarily thereto a person eligible for 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 without referring the case to the Commission for concurrence, where such concurrence is necessary, and shall be terminated immediately on its refusal to concur:

@ Deleted—"Rule 24. *Recommendation of the Commission.*—The Commission shall prepare a list of the candidates whom they consider suitable for appointment to the post, arranged in order of preference and forward the same to Govt." vide No. F. 21 (5) Appts./C/55, dated 15-3-1960.

£ Deleted—"Rule 25. *Selection by Government.*—State Government shall select the candidate who stand highest in the order of merit, in the list prepared by the Committee under rule 23." vide No. F. 21(5) Appts./C/55, dated 4-10-1962.

% Substituted for "the words 22" vide No. F. 21 (5) Appts./C/55 dated 4-10-1962.

* Substituted for "notwithstanding the provisions of other rules" vide Notification No. F. 21 (5) Appts./C/55, dated 4-10-1962.

+Substituted for—"Rule 28. *Emergent temporary appointments.*—A vacancy in the Service may be filled temporarily by Government by appointing thereto temporarily a person eligible for recruitment to the Service under the provisions of these rules or a suitable official provided that no such appointment shall be continued beyond a period of twelve months, without referring it to the Commission for their concurrence and shall be terminated immediately on their refusal to concur." vide Notification No. F. 1 (10) D. O. P. (A-II)/72, dated 16-2-1973.

%% Substituted for the words "Appointing Authority" vide Corrigendum No. F. 1- (10) D. O. P. (A-II)/72, dated 12-9-1973.

§2 Provided further that in respect of the Service or a post in Service for which both the above methods of recruitment have been prescribed, the Government or the authority competent to make appointment, as the case may be, shall not, save with the specific permission of the Government in the Department of Personnel in the case of State Services and Government in the Administrative Department concerned in respect of other services, fill the temporary vacancy against the direct recruitment quota by a whole-time appointment for a period exceeding three months, otherwise than out of person eligible for direct recruitment and after a short-term advertisement.

%(2) In the event of non-availability of suitable persons, fulfilling the requirements of eligibility for promotion, Government may, notwithstanding the condition 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 appointments shall, however, be subject to concurrence of the Commission is required under the said sub-rule.

@29. *Seniority*.—Seniority in the Service shall be determined in each category of the Service by the year of substantive appointment:

Provided—

(i) that the seniority *inter se* of persons appointed to a particular class or posts before the commencement of these Rules shall be determined, modified or altered by the Appointing Authority on an *ad hoc* basis.

(ii) that the seniority *inter se* of person appointed to the Service on the basis of one and the same selection, except those who do not join the Service when a vacancy is offered to them shall follow the

§2 Substituted for " Provided further that in respect of a service or a post in a service or which both the methods of recruitment have been proscribed, the Government or the Authority competent to make appointments, as the case may be shall not fill the temporary vacancies by appointing a person eligible for direct recruitment unless no suitable person eligible for promotion is available" vide Notification No. F. 1 (10) D. O. P. (A-II)/72, dated 28-11-1973.

% Inserted vide Notification No. F. 7(7) D.O.P. (A-II)/75, dated 31-10-1975. Effective from 24-10-1958.

@ Substituted for -29. excluding previous "*Seniority*.—Seniority in the Service shall be determined by the date of the order of appointment to the Service." vide Notification No. F. 7 (9) D.O.P. (A-II)/73, dated 15-11-1973.

order in which they have been placed in the list prepared by the Commission under rule 21.

£(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 are 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) (Deleted.)

£30. *Period of probation.*—(1) Every person appointed against a substantive vacancy in the service by direct recruitment shall be placed on probation for a period of two years and those appointed by promotion X (special selection) to any post against such a vacancy shall be on probation for a period of one year.

Provided that—

(i) such of them as have, previous to their appointment by promotion X (special selection) or by

£ Substituted for "(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 are selected and appointed as result of subsequent selection. Seniority of *inter se* persons selected on the basis of seniority-cum-merit shall be the same as in the next below grade, except in case of continued officiation on higher posts when it shall be in accordance with the length of continued officiation, provided that such officiation was not *ad hoc* or fortuitous." vide Notification No. F. 7(10) D.O.P./A-II/77, dated 17-6-1978.

+ Deleted "proviso (iv) that the seniority *inter se* of persons selected as a result of one and the same selection and appointed on the basis of merit alone shall be in the same order in which their names appear in the select list, irrespective of the period of continuous officiation." vide Notification No. F. 7 (10) D. .P.(A-II)/77, dated 17-6-1978.

£ Substituted for "—Rule 30, Probation.—(1) All persons appointed to the Service by direct recruitment or promotion shall be on probation and the period of such probation shall be two years in the case of direct recruitment, and one year in the case of promotion.

Provided that such of them as have previous to such appointment officiated or served temporarily on a post encadred in the Service, may be permitted by the Government to count such officiating or temporary service towards the period of probation up to a maximum of six months.

(2) During the period of probation each probationer shall be required to pass such departmental examinations and to undergo such training as Government may, from time to time prescribe.

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 Examination in rule regarding confirmation shall be deemed to have been waived in case of death or retirement" vide Notification No. F. 1 (35) Karmik(Ka-II)/74, dated 4-5-1977. Effective from the date of their publication.

X Inserted vide Notification No. F. 1 (25) Karmik(Ka-II)/74, dated 2-8-1977.

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 supersession of any 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 Examination 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 Examination in the rule regarding confirmation shall be deemed to have been waived in case of death or retirement.

§30. (a) Notwithstanding anything contained in the rule 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 promotion 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,

£ Substituted for—“Rule 30-A Notwithstanding anything contained in rule 30, a person who has been regularly recruited against a temporary vacancy and has put in more than 2 years' service after such regular recruitment shall not be placed on probation on a permanent vacancy being available but he shall be confirmed only after he has fulfilled the conditions of confirmation as laid down in the rule.” vide Notification No. F. 7(7) D.O.P. (A-II)/74, dated 28-12-1974.

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:

Provided that if the employee has failed to give satisfaction or has not fulfilled any of the conditions prescribed for confirmation, such as passing of Departmental Examination, training or promotion cadre course etc., the aforesaid period may be extended as prescribed for the probation or under the Rajasthan Civil Services Departmental Examination Rules, 1959 and any other rules, or by one year, whichever is longer. If the employee still fails to fulfill the prescribed conditions or fails to give satisfaction, he will be liable to be discharged from such post in the same manner as a probationer or reverted to his substantive or lower posts, if any, to which he may be entitled:

Provided further that no person shall be debarred from confirmation after the said period of service, if no reasons to the contrary about the satisfactory performance of his work are communicated to him within the said period.

(b) The reasons for not confirming an employee referred to in the second proviso to clause (a) shall, in the case of a non-gazetted employee, be also immediately recorded by the Appointing Authority in his Service Book and C. R. file and in the case of Gazetted Officer communicated to the Accountant General, Rajasthan and in his Confidential Report file. A written acknowledgement shall be kept on record in all these cases.

Explanation:—(i) Regular recruitment for the purpose of this rule shall mean appointment after either of the methods of recruitment or on initial constitution of service in accordance with any of the Service Rules promulgated under proviso to Article 309 of the Constitution of India, or for posts for which no Service Rules exist, if the posts are within the purview of Rajasthan Public Service Commission recruitment in consultation with them but it shall not include an urgent temporary

appointment, *ad hoc* appointment or officiating promotion against temporary or lien vacancies which are liable to review and revision from year to year. In case where the Service Rules specifically permit appointment by transfer such appointment shall be treated regular recruitment, if the appointment to the post from which the official was transferred was transferred after regular recruitment. Persons who have been made eligible for substantive appointment to a post under the rules shall be treated as having been regularly recruited.

- (ii) Persons who hold lien another cadre shall be eligible to be confirmed under this rule and they will be eligible to exercise an option whether they do not elect to be confirmed on the expiry of two years of their temporary appointment under this rule. In the absence of any option to the contrary, they shall be deemed to have exercised option in favour of confirmation under this rule and their lien on the previous post shall cease.

§31 *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.

2 Substituted for—“Rule 31. *Unsatisfactory progress during Probation.*—(1) If it appears to Government 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, Government may revert him to the post held substantively by him immediately preceding his appointment to the Service, provided he holds a lien thereon, or in other cases may remove him from Service.”

Provided that Government may extend the period of probation of any member of the Service by a specified period not exceeding one year.

(2) A probationer reverted or removed from service during or at the end of the period of probation under sub-rule (1) shall not be entitled to any compensation.” vide Notification No. P. 1 (38) Karmik (Ka-II) 74, vide dated 4-5-1977, Effective from the date of their publication in *Rajasthan Rajpatra*.

ment, provided he holds a lien thereon or in other cases 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 *(special selection) to such post:

% Provided further that the Appointing Authority may, if it so thinks fit in case of persons belonging to the Scheduled Castes or 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.

32. Confirmation.—A probationer shall be confirmed in his appointment at the end of the period of his probation, if:—

(a) he has passed the prescribed departmental examination, if any, completely; and

(b) Government is satisfied that the integrity is unquestionable and that he is otherwise fit for confirmation.

@32-A.—Notwithstanding anything contained in rule 32, a probationer shall be confirmed in his appointment at the end of his period of probation even if the prescribed departmental examination/training/proficiency test in Hindi, if any are not held during the period of probation laid down in the rules provided:

* Inserted vide Notification No. F. 1 (35) Karm/lt/(ka-YI)/77, dated. 3-8-1977.

* Added vide Notification No. F. 7 (6) D.O.P. (A-II)/77, dated. 20-10-1977. Effective from 1-1-1978.

@Added vide Appointments Department's Notification No. F. 1 (12) Apptts. A-II/98, Part V, dated. 17-10-1970.

- (i) he is otherwise fit for confirmation, and
 (ii) the period of probation expires on or before the date of publication of this amendment in the Rajasthan Rajpatra.

PART VII—Pay.

33. *Pay during probation.*—The initial pay of a person appointed by direct recruitment to a post in the Service/Cadre shall be the minimum of the scale of pay of the post:

Provided that the pay of a person already serving in connection with the affairs of the state shall be fixed in accordance with the provisions of the Rajasthan Service Rules, 1951.

34. *Increment during probation.*—A probationer shall draw increment, in the scale of Pay admissible to him in accordance with the provisions of the Rajasthan Service Rules, 1951.

35. *Criteria for crossing efficiency bar.*—No member of the Service shall be allowed to cross the efficiency bar unless in the opinion of Government, he has worked satisfactorily and his integrity is unquestionable.

PART VIII—Other provisions.

36. *Regulation of leave, allowances, pension, etc.*—Except as provided in these Rules, the pay, allowances pensions, leave and other conditions of service of the members of the Service shall be regulated by:—

- (1) The Rajasthan Travelling Allowance Rules, 1971, as amended up-to date;
- (2) The Rajasthan Civil Services (Unification of Pay Scales) Rules, 1950, as amended up-to date;
- (3) The Rajasthan Civil Services (Rationalisation of Pay Scales) Rules, 1956, as amended up-to date;

① Substituted for—"Rule 33. *Scales of pay.*—The scale of monthly pay to a person appointed to a post in the service shall be such as may be admissible under the rules referred to in rule 36, or as may be sanctioned, by Government, from time to time." vide Notification No. F. 1 (16) Apppts. (A-II) 767, dated 6-2-1989.

② Substituted for—"Rule 34. *Increments during probation.*—A probationer shall draw increment in the scale of pay admissible to him during the period of probation as they accrue, provided that if the period of probation is extended on account of failure to give satisfaction, such extension shall not count for increments unless the authority granting the extension directs otherwise." vide Notification No. F. 1 (11) Apppts (A-II) 588; Part II, dated 16-10-1973. vide A-11/85.

(4) The Rajasthan Civil Services (Classification, Control and Appeal) Rules, 1958 (as amended up-to-date);

(5) The Rajasthan Service Rules, 1951, as amended up-to-date @ (Deleted);

* (6) The Rajasthan Civil Services (Revised Pay) Rules, 1961; and

* (7) Any other rules prescribing general conditions 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.

Sd/-R. D. Mathur

Special Secretary to
Government.

2 Replaced for the word "1950" vide Appts. (D) Deptt. Notification. No. P. 21 (5) Appts. (C)/55, dated 15-3-1960.

@ Deleted the words "and any other Rule made by the appropriate authority under the proviso to Article 309 of the Constitution of India and for the time being in force." vide Notification No. P. 21 (5) Appts. (C)/55, dated 4-10-1952.

* Inserted vide Notification No. P. 21(5) Appts. (C)/55, dated 4-10-1952.

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SCHEDULE

Order regarding Representation of Scheduled Castes and Scheduled Tribes in Public Services [Vide Order No. F. 25(42) G.A. (A)/51, dated 19th September, 1951 as amended vide G.A. D. Order No. D. 9692/F. 4 (8) G. A./A-56, dated 27-7 1956.

In accordance with the provision of Article 335 of the Constitution of India, the Government of Rajasthan have been pleased to direct that — (1) There shall be a general reservation of 12½% of the vacancies for members of the Scheduled Castes and Scheduled Tribes in making appointments to the services and posts which are filled by direct recruitment.

(2) The same percentage of recruitment may be followed in respect of the members of the Scheduled Castes and Scheduled Tribes till the ultimate percentage of reservation fixed by the Government is reached.

(3) In the event of non-availability of a sufficient number of candidates amongst Scheduled Castes and Scheduled Tribes in a particular year, vacancies need not be kept reserved and shall be filled in accordance with the normal procedure, but they may be carried forward and filled up in the subsequent year. In case the candidates of Scheduled Castes or Tribes are not available even in the second year, for appointment against the vacancies carried forward from the previous year, vacancies will be filled in by other candidates and the deficiency will be made good in the subsequent year. If the candidates are not available in the third year also vacancies reserved will be filled in by other candidates and the reservation on account of the deficiency shall not be carried forward for more than two years.

(4) Minimum qualification prescribed for any post will not be lowered with a view to accommodating any candidate belonging to the Scheduled Castes and Scheduled Tribes.

(5) The maximum age limit prescribed for direct recruitment in various services and posts may be extended by five years in the case of the candidates belonging to the Scheduled Castes and Scheduled Tribes.

AMENDMENT

- (3) No person shall be considered for first promotion in the service unless he is substantively appointed and confirmed on the lowest post in the service. After first promotion in the service, for subsequent promotions to higher posts in the Service, a person shall be eligible if he has been appointed to such post from which promotion is to be made after selection in accordance with one of the methods of recruitment under any Service Rules promulgated under proviso to Article 309 of the constitution of India.

(G. S. R. 30)-

F 7 (8) DOP/A-II/48

Dated 20.7.79