

**Raj. Transport
Service Rules, 1979**

DEPARTMENT OF PERSONNEL

(A-Group-II)

Notification

Jaipur, December, 1979.

No.F.1(2)DOP/A-II/76:- 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 the recruitment to the posts in and the conditions of Service of persons appointed to the Rajasthan Transport Service, namely:-

THE RAJASTHAN TRANSPORT SERVICE RULES, 1979

PART-I General

[1. Short title and commencement:- (1) These Rules may be called the Rajasthan Transport Service Rules, 1979.

(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) "Commissioner" means the Transport Commissioner, Rajasthan;
(d) "Committee" means the Departmental Promotion Committee referred to in Rule 24;

(e) "Direct Recruitment" means recruitment made in accordance with Part IV of these Rules;

(f) "Government" and "State" means respectively, the Government of Rajasthan and the State of Rajasthan;

(g) "Member of the Service" means a person appointed in a substantive capacity to a post in the Service under the provisions of these Rules or the rules or orders superseded by rule 37 of these Rules, and includes a person placed on probation;

(h) "Schedule" means the Schedule appended to these Rules;

(i) "Service" means the Rajasthan Transport Service;

(j) "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 provisions of any Rules promulgated under proviso to Article 309 of the Constitution of India except an urgent temporary appointment; and

+ (K) “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 a person holding a lower post eligible for promotion to higher post shall include the period for which the person has continuously worked on such lower post after regular selection in accordance with Rules promulgated under proviso to Article 309 of the Constitution of India.

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

% “(1) ‘Year’ means financial year.”

3. Interpretation:- Unless the context otherwise requires the Rajasthan (General Clauses Act, 1955 (Rajasthan Act No. 8 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 on the Service:- (1) The nature of posts included in each category of the Service shall be as specified in Column 2 of the Schedule-I

+ Substituted for:-

(k) “**Service**” or “**Experience**” wherever prescribed in these Rules as a condition for promotion within the Service from one category to another or the senior posts in the case of persons 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 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 the default of the senior official concerned or non-selection by merit 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.

vide Notification No. F.6(2)DOP/A-II/71 dated 29-8-1982.

% Added vide Notification No. F. 7(2)DOP/A-II/81 dated 21-12-1981 w.e.f. 1-4-1981.

(2) The strength of posts in each category shall be such as may 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 post in the like manner without thereby entitling any person to any compensation;

(b) leave unfilled or hold in abeyance or abolish or allow to lapse any post, permanent or temporary, from time to time, without thereby entitling any person to any compensation.

5. Constitution of Service:- The Service shall consist of:-

(a) all persons holding substantively the posts specified in Schedule-I;

(b) all persons recruited to the posts included in the Service before the commencement of these Rules;

(c) all person regularly appointed to the posts of Assistant commercial Taxes Officer under the Rajasthan Commercial Taxes Service Rules, 1971 and transferred to the Transport Department at the time of transfer of Passengers and Goods Tax Work to the Transport Department and who are working on the post of District Transport Officer included in Schedule-II.

(d) all persons recruited to the Service in accordance with the provisions of these Rules except those appointed under Rule 26.

PART-III-Recruitment

6. Method of recruitment:- (1) Recruitment of the Service, after the commencement of these Rules, shall be made by the following methods in the proportion indicated in Column 3 of Schedule-I;

(a) by direct recruitment in accordance with the Rajasthan State and Subordinate Services (Direct Recruitment by Combined Competitive Examinations) Rules, 1962; and

(b) by promotion in accordance with Part V of these Rules:

Provided:-

*~~(1) Deleted.~~

(2) that if Government is satisfied, in consultation with the Commission, that suitable persons are not available for appointment by either method of recruitment in a particular year, appointment by the other method in relaxation of the prescribed proportion, may be made in the same manner as specified in these Rules;

* Deleted by vide Notification No. F.1(9)DOP/A-II/89 dated 6-8-2004.

(1) that the Appointing authority may fill the posts of:-

(a) Transport Commissioner from amongst the members of Indian Administrative Service;

[§][(b) Senior Additional Transport Commissioner from amongst the members of Indian Administrative Service/Rajasthan Administrative Service, as per the criteria decided by the Government, from time to time.

(bb) Additional Transport Commissioner cum Regional Transport Officer from amongst the members of the Indian Administrative Service/Rajasthan Administrative Service/Rajasthan Transport Service, as per the criteria decided by the Government, from time to time.

(bbb) Joint Transport Commissioner cum Regional Transport Officer from amongst the members of the Rajasthan Transport Service.”]

[#][(c) Deputy Transport Commissioner/ Regional Transport Officer from amongst the members of the Indian Administrative Service/Rajasthan Administrative Service/Rajasthan Transport Service, as per the criteria decided by the Government from time to time.

(d) Assistant Transport Commissioner / Additional Regional Transport Officer from amongst the members of the Rajasthan Transport Service.

(e) District Transport Officer / District Transport Officer (Head quarter) from amongst the members of the Rajasthan Administrative Service / Rajasthan Transport Service / Rajasthan Transport Service as per the criteria decided by the Government from time to time.”]

(2) that the Assistant Commercial Taxes Officers who were transferred to the posts of District Transport Officer with effect from 1st July, 1974 in the Transport Department consequent upon the transfer of Passengers and Goods Tax work from the Commercial Taxes Department of the Transport Department and were appointed on ad-hoc/officiating/urgent temporary basis to the posts of Assistant Commercial Taxes Officer and were working as District Transport Officer on 1st January, 1978 shall be screened by a Committee referred to in rule 24, for adjudging their suitability on the post of District Transport Officer provided they possess the qualifications prescribed in the Rajasthan Commercial Taxes Service Rules, 1971 either for direct recruitment or for promotion or the prescribed qualification on the basis of which they were selected for **ad-hoc**/officiating/urgent temporary appointment.

Note:- (1) The provisions of screening under proviso (4) above shall be treated to be the first step for recruitment and after exhausting the vacancies required for the 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 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.

§ Substituted by vide Notification No. F.7(2)DOP/A-II/89 dated 4-9-2013.

Substituted by vide Notification No. F.1(9)DOP/A-II/89 dated 6-8-2004.

7. 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 order 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 Schedule 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 irrespective of their relative rank as compared with 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 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 the posts or class/category/group of posts in any cadre of Service to which promotions are made on the basis of both by merit and by seniority-cum-merit under these Rules.

§“7A. Reservation of vacancies for Other Backward Classes:- Reservation of vacancies for Other Backward Classes shall be in accordance with the orders of the Govt. for such reservation in force at the time of direct recruitment. In the event of non-availability of eligible and suitable candidates amongst Other Backward Classes in a particular year, the vacancies so reserved for them shall be filled in accordance with the normal procedure.”

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 and Ethiopia with the intention of permanently settling in India.

+ Substituted for the words “Merit and Seniority-cum-merit” vide Notification No. F. 7(4)DOP/A-II/73 dated 29-1-81.

§ Added vide Notification No. F.7(2)DOP/A-II/93 dated 24-5-1994 w.e.f. 28-9-1993

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 given by the Government of India.

A candidate in whose case a certificate of eligibility in 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.

9. Conditions 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 setting 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 Appointment Authority shall determine on 1st April every year, the actual number of vacancies occurring during the financial year.

(b) Where a post is to be filled in by a single method as prescribed in the rule or Schedule, the vacancies so determined shall be filled in by that method.

(c) Where a post is to be filled in by more than one method as prescribed in the rules or Schedule, the apportionment of vacancies, determined under clause (a) above, to each such method shall be done maintaining the prescribed proportion for the over-all number of posts

§ Rule 10 substituted for:—

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 years, if any, yearwise which were required to be filled in by promotion, if such vacancies were not determined and filled earlier in the year in which they were required to be filled in accordance with sub-rule (2).

vide Notification No. F. 7 (2) DOP/A-II/81, dated 21-12-1981 w.e.f. 1-4-1981.

already filled in. If any fraction of vacancies is left over, after apportionment of the vacancies in the manner prescribed above, the same shall be apportioned to the quota of various methods prescribed in a continuous cyclic order giving precedence to the promotion quota.

(2) The Appointing Authority shall also determine the vacancies of earlier years, yearwise which were required to be filled in by promotion, if such vacancies were not determined and filled earlier in the year in which they were required to be filled in.”

11. Age : - A candidate for direct recruitment to the Service must have attained the age of 21 years and must not have attained the age *‘‘31 years’’ on the first day of January next following the last date fixed for receipt of applications :

Provided:—

(i) that the upper age-limit mentioned above, shall be relaxed by 5 years in the case of Women candidates and candidate belonging to the Scheduled Castes or the Scheduled Tribe :

(ii) that the upper-age-limit mentioned above, shall not apply in the case of an ex-prisoner who had served under the Government on substantive basis on any post before his conviction and was eligible for appointment under the rules;

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

(iv) 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 have crossed the age-limit when they appear finally before the Commission and shall be allowed upto two chances had they been eligible as such at the time of their initial appointment;

(v) that the Cadet Instructors shall be allowed to deduct from their actual age the period of service rendered by them in the N.C.C. and if the resultant age does not exceed the maximum age-limit prescribed above by more than 3 years they shall be deemed to be within the prescribed age-limit;

(vi) 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 post filled in by Competitive Examination. This relaxation shall not apply to urgent temporary appointment.

* Substituted for :- *‘‘31 years’’ vide Notification No. F. 7 (2) DOP/A-II/84. dated 20-3-1990 w.e.f. 25-1-1990.

** Substituted for ‘‘28 years’’ vide Notification No. F. 7 (2) DOP/A-II/84, dated 25-2-1985 w.e.f. 28-9-1984.

+ that there shall be no age limit in the case of widows and divorcee women.

Explanation :- That in the case of widow, she will have to furnish a certificate of death of her husband from the Competent Authority and in case of divorcee, she will have to furnish the proof of divorcee.’’

12. Academic and Technical qualification and experience :- A candidate for direct recruitment to the posts specified in Schedule-I, shall possess :

(i) the qualifications given in Column 4 of the Schedule-I in addition to such experience as is required therein; and

%(ii) ‘‘Working knowledge of Hindi written in Devnagri script and knowledge of Rajasthani culture.’’

13. Character: - The character of a candidate for direct recruitment to the Service, must be such as will 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 crimes of violence or with a movement which has as its object to overthrow by violent means of the Government as by law established, the more conviction need not be regarded as a disqualification.

(2) Ex-prisoner 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 or purposes of employment in the Service. Those who are convicted of offences not involving moral turpitude shall be 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.

+ Added vide Notification No. F. 7 (2) DOP/A-II/84, dated 18-12-1987.

% Substituted for:-

(ii) Working knowledge of Hindi written in Devnagri Script and one of the Rajasthani dialects.

vide Notification No. F. 5 (1)DOP/A-II/77, dated 30th January, 1984.

Those convicted of offences involving moral turpitude shall be required to produce a certificate 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, 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 a '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 purposes. 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 held to be comparable for efficient performance of duties of the new post and 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 have been tampered with or of making statements which are incorrect or false or of suppressing material information or of 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 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, and

(b) by Government from employment under the Government.

16. Canvassing :- No recommendation for recruitment either written or oral other than that required under the rules shall be taken in 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. 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 the official Gazette or in such other manner, as may be deemed fit.

Provided that while selecting candidates for the vacancies so advertised the Commission may, if an intimation of additional requirement not exceeding 50% of the advertised vacancies, is received by them before the selection, also select suitable persons to meet such additional requirement.

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.

19. Application fee:- A candidate for direct recruitment to a post in the Service must pay the fee fixed by the Commission in such manner as may be indicated by them.

20. Scrutiny of applications:- The Commission shall scrutinise the applications received by them and require as many candidates qualified for appointment under these Rules as deemed to them desirable to appear before them for examination.

Provided that the decision of the Commission as to the eligibility or otherwise of a candidate shall be final.

21. Recommendations of the Commission:- The Commission shall prepare a list of the candidates whom they consider suitable for appointment to the posts concerned, arranged in the order of merit and forward the same to the Government :

Provided that the Commission may to the extent of 50% of the finally intimated vacancies, keep names of suitable candidates on the reserve list. The names of such candidates may, on receipt of requisition within six months from the date on which the original list is forwarded by the Commission, to the Appointing Authority in such manner as the Commission may decide, be recommended in order of merit to the Government for appointment against additional vacancies.

22. Disqualifications for appointment:- (1) No male candidate who has more than one wife living shall be eligible for appointment to the Service unless the 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 the 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.

Explantion:- For the purpose of this rule “dowry” has the same maning as in the Dowry Prohibition Act, 1961 (Central Act 28 of 1961).

23. Selection by the Appointing Authority:- Subject to the provisions of rule 7§ “and 7A”, Government shall select candidates who stand highest in the order of merit in the list prepared by Commission on under rule 21.

Provided that the inclusion of a candidate’s name in the list confers no right to appointment under Government satisfied after such enquiry as may be considered necessary that such candidate is suitable in all other respects for appointment to the posts concerned.

Part-V

Procedure for Recruitment By Promotion

24.- 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 vancancies under rule 10 and decides that a certain number of posts are required to be filled in by promotion, the Appointing Authority shall, subject to provisions of sub-rule (9), prepare a coreect and complete list of the senior-most persons who are eligible and qualified under these Rules for promotion on the basis of seniority cum-merit or on the basis of merit to the class of posts concerned.

(2) The persons enumerated in Column 5 of Schedule-I 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.

(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.’’

+“Provided that for first promotion in the Service if number of persons substantively appointed and confirmed on the lowest post, equal to the

§ Inserted vide Notification No. F. 7 (2) DOP/A-II/93, dated 24-5-1994 w.e.f. 28-9-1993.

+ Added vide Notification No. F. 7 (8) DOP/A-II/78, dated 13-5-1980.

number of vacancies, are not available then persons who have been appointed to the lowest post in the Service after selection in accordance with one of the methods of recruitment prescribed under these Rules, shall also be eligible if they fulfil other conditions of eligibility.”

Explanation :- In case direct recruitment to a post has been made earlier than regular selection 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 appointment 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 Service to the next higher post or category of post in the Service shall be made strictly on the basis of seniority-cum-merit form 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 Service shall be made on the basis of merit and on the basis on 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.

Explanation :- (If in the Service, in any category of post, number of posts available for promotion is an old number then for purpose of

determining the vacancies for selection by promotion on the basis of seniority-cum-merit and merit in the proportion of 50:50, the following cyclic order shall be followed:

The first vacancy by seniority-cum-merit;

The subsequent vacancy by merit;

The cyclic to be repeated.

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

Provided that—

(a) in a Service or Groups or Section thereunder, where there are only two scales e.g. Junior scale or Senior scale and there is only one promotion then promotion 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 except to the highest post.

(c) in Service 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.

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

@(8) Deleted.

@ **Sub-rule (8) deleted:-** (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.:

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.

vide Notification No. F. 7 (6) DOP/A-Ii/75, dated 15-7-1992.

Explanation :- (f any doubt arises about the categorisation of the post as the lowest, next higher or higher 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) for one vacancy	Five eligible persons.
(b) for two vacancies	Eight eligible persons.
(c) for three vacancies	Ten eligible persons.
(d) for four or more vacancies	Three times the number of vacancies.

(ii) Where, the number of eligibler persons for promotion to higher post is less than the number specified above, all the persons so eligible shall be considered.

(iii) Where, adequate number of the candidates belonging to the Scheduled Castes or the Scheduled Tribes, as the case may be, are not

⁺⁺ Sub-rule (9) substituted for :-

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

§ (i) “The zone of eligible for promotion shall be five times the number of vacancies to be filled in on the basis of seniority-cum-merit or merit or by both, as the case may be.”

(ii) For the highest post in a service :

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

(b) if promotion is from different categories of posts in the same pay scale, eligible persons upto 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.

vide Notification No. F. 7 (1) DOP/A-II/81, dated 6-7-1983 %w.e.f. 1-4-1984.

% Added vide Notification No. F. 7 (1) DOP/A-II/81, dated 10-5-1984.

§ Clause (i) of sub-rule (9) of Rule 24 subtd. for :-

“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 atleast 30 eligible persons to be considered.”

vide Notification No. F. 7 (1) DOP/A-II/81, dated 29-1-81.

available within the zone of consideration specified above, the zone of consideration may be extended to five times the number of vacancies and the candidates belonging to the Scheduled Castes or the Scheduled Tribes, as the case may be (and not any other) coming within the extended zone of consideration shall also be considered against the vacancies reserved for them.

(iv) For the highest post in a State Service:-

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

(b) if promotion is from different categories of the post 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 and so forth. The zone of consideration for eligibility in this case shall be limited to five senior most eligible persons in all.”

“(10) (a) The Committee consisting of the Chairman of the Commission or a Member nominated by him as Chairman, @“x x x x” the Transport Commissioner, the Special Secretary to the Government, Department of Personnel and Adm.-Reforms or his representative not below the rank of Deputy Secretary as Member and the Additional Transport Commissioner as Member-Secretary. % “shall consider the cases of all the senior most

@ Deleted the expression :- the Commissioner for Home Affairs or his representative not below the rank of the Deputy Secretary”.

Vide Notification No. F. 1 (9) DOP/A-II/89, dated 3-8-1989.

% Substituted for the expression :-“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, +“interviewing such of them as they may deem necessary” 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 the 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 one 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.

“vide Notification No. F. 7 (2) DOP/A-II/81, dated 19-2-1982 we.e.f. 1-4-1981.

Inserted vide Notification No. F. 11 (1) DOP/A-II/77. dated 20-3-80.

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 persons found suitable on the basis of seniority-cum-merit and/ or on the basis of merit, as the case may be, as per the criteria for promotion laid down in these Rules, equal to the number of vacancies determined under rule relating to "Determination of vacancies" of these Rules. The list so prepared on the basis of seniority-cum-merit and/or on the basis of merit, as the case may be, shall be arranged in the order of seniority one the category of posts from which selection is made.

(b) The Committee shall also prepare a separate list on the basis of seniority-cum-merit and/or on the basis of merit, as the case may be, as per the criteria for promotion laid down in the rules, containing names of persons equal to the number of persons selected in the list prepared under (a) above to fill temporary or permanent vacancies, which may occur subsequently. The list so prepared on the basis of seniority-cum-merit and/ or on the basis of merit, as the case may be, shall be arranged in the order of the seniority in the category of posts from which selection shall be made. Such a list shall be reviewed and revised by the Departmental Promotion Committee that meets in the sub-sequent year and that such list shall remain in force till the end of last day of the next year or till the Departmental Promotion Committee meets, whichever is earlier.

(c) such list shall be sent to the Appointing Authority together with Annual Confidential Reports/Annual Performance Appraisal Reports and other Service Record of all the candidates included in the lists as also of those not selected, if any."

Provided that in case any Member or Member-Secretary, as the case may be, constituting the Committee has not been appointed to the post concerned, the officer holding charge of the post for the time being shall be the Member or Member-Secretary, as the case may be, of the Committee.

+Explanation :- For the purpose of selection for promotion on the basis of merit no person shall be selected if he does not have "Outstanding" or "Very Good" record in at least five out of the 7 years preceding the year for which D.P.C. is held".

+ Substituted for:-

Explanation:-For purpose of selection for promotion on the basis of merit. officers with "Outstanding" or constantly "Very-Good" record shall only be selected and their names arranged in order of seniority.

Vide Notification No. F. 7 (10) DOP/A-II/77, dated 30-11-1991.

“(1) If in any subsequent year, after promulgation of these Rules, vacancies relating to any earlier year are determined under sub-rule (2) of rule relating to determination of vacancies which were required to be filled by promotion, the Departmental Promotion Committee shall consider the cases of all such persons who would have been eligible in the year to which the vacancies relate irrespective of the year in which the meeting of the Departmental Promotion Committee is held and such promotions shall be governed by the criteria and procedure for promotion as was applicable in the particular year to which the vacancies relate, and the service/experience of an incumbent who has been so promoted, for promotion to higher post for any period during which he has not actually performed the duties of the post to which he would have been promoted, shall be counted. The pay of a person who has been so promoted shall be re-fixed at the pay which he would have derived at the time of his promotion but no arrears of pay shall be allowed to him.”

“(11-A) The Government or the Appointing Authority may order for the review of the proceedings of the D.P.C. held earlier on account of some mistake or error apparent on the face of record, or on account of a factual error substantially affecting the decision of the D.P.C. or for any other sufficient reasons e.g. change in seniority, wrong determination of vacancies, judgment/direction of any Court or Tribunal, or where adverse entries in the Confidential Reports of an individual are expunged or toned down or a punishment inflicted on him is set aside or reduced. The concurrence of the Department of Personnel and the Commission (where Commission is associated) shall always be obtained before holding the meeting of the review D.P.C.”

% Subtd. for :-

“(11) If in any subsequent year, after promulgation of these Rules, vacancies relating to any earlier year are determined under sub-rule (3) of rule 10 which are required to be filled by promotion. The Departmental Promotion Committee shall consider the cases of all such persons who would have been eligible in the year to which the vacancies relate, irrespective of the year in which the meeting of the Departmental Promotion Committee is held and such promotions shall be governed by the rules in force at the time, the meeting of the Departmental Promotion Committee is held. The person who has been so promoted shall not be entitled to claim any arrears of pay or re-fixation of his pay or to count his service/experience for promotion to higher post for any period during which he has not actually performed the duties of the post to which he has been promoted.”

vide Notification No. F. 5 (3) DOP/A-II/77, dated 18-8-1982.

§ Added vide Notification No. F. 7 (1) DOP/A-II/86, dated 14-6-1988.

(12) Where consultation with the Commission is necessary, the lists prepared by the Committee shall be forwarded to the Commission by the Appointing Authority alongwith 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 alongwith 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 revid 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.

@24A. “Restriction on promotion of persons foregoing promotion :- In case a person on his appointment by promotion to the next higher post either on the basis of urgent temporary appointment or on regular basis on the recommendation of the Departmental Promotion Committee, foregoes such an appointment, he shall be considered again for appointment by promotion only after a period of one year (both on the basis of urgent temporary appointment or on regular basis), on the recommendation of the Departmental Promotion Committee.’’

@ Added vide Notification No. F. 15 (16) F. 15 (16) DOP/A-II/80, dated 30-11-81.

PART-VI

Appointment, Seniority, Probation and Confirmation

25. Appointment to the Service :- Appointment to the 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 21 in order of merit and from the persons selected under rule 24 in accordance with these Rules and from the persons adjudged suitable under proviso (4) to rule 6 of these Rules.

26. Urgent Temporary Appointment.- (1) A vacancy in the Service which cannot be filled in immediately either by direct recruitment or by promotion under these Rules may be filled in by the Government by appointing in 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.

Provided further that in respect of a post in the Service for which both the methods 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 direct recruitment quota by whole time appointment for a period not exceeding three months otherwise than out of persons eligible for direct recruitment after a short term advertisement.

(2) In the event of non-availability of suitable persons fulfilling the requirement of the eligibility for promotion, Government, 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 restriction regarding pay and other allowances as it may direct. Such appointment shall, however, be subject to concurrence of the Commission as required under the said sub-rule.

27. Seniority.- Seniority of persons appointed to the lowest post of the Services 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 to other higher posts in the Service or other higher

categories of posts in each of the Groups/Seciton in the Service as the case may be, shall be detrermined from the date of their regular selection to such posts :

Provided—

(1) that the seniority **inter se** of the persons appointed to the Service before the commencement of these Rules and the service of the pre-Reorganisation State of Rajasthan or the Service of the new State of Rajasthan established by the State Re-organisation Act, 1956, shall be determined or modified or altered by Government on **ad-hoc** basis:

(2) that the **inter se** seniority of persons specified in sub-rule (c) of rule 5 and in proviso (4) to rule 6 and that of District Transport Officers, shall be determined notwithstanding their year of substantive appointment, according to the date of order of continuous officiating appointment on the post concerned provided such officiation was not fortuitous or adhoc or an urgent temporary appointment and there was no default on the post of the employees to join the appointment when ordered :

Provided further that any pre-determined **inter-se** seniority of officers in the Transport Department shall not be distrubed.

(3) that if two or more persons are appointed to posts in the same category in the same year, a person appointed by promotion, shall rank senior to a person appointed by direct recruitment;

(4) that the seniority **inter se** of persons appointed to 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 shall follow the order in which they have been placed in the list prepared by the Commission under rule 21;

(5) 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.

28. Period of probation:-(1) All persons appointed to the Service by direct recruitment against a substnative 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 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 undergo such training as the Government, may, from time to time, specify.

Explanation :- In the 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/retirement from Government Service. The condition of passing the Departmental Examination in the rule regarding confirmation shall be deemed to have waived in case of death or retirement.

Action in certain cases:- (1) Notwithstanding anything to the contrary contained in the preceding rule a person appointed to a post in the Service temporarily or on officiating basis who, after regular recruitment by any one of the methods or recruitment prescribed under these Rules, has not

@ Rule 29 substituted for:-

“29. Confirmation in certain cases:- (1) Notwithstanding anything contained in rule 28. 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 of 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:

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 probation under the Rajasthan Civil Services (Departmental Examinations) Rules 1959 and any other Rules or by one year whichever is longer if the employee still fails to fulfil the prescribed condition 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 post, 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. Contd.....

confirmed, within a period of six months on completion of a period of two years' service in case he is appointed by direct recruitent or within a period of one year's service in case he is appointed by promotion, shall be entitled to be treated as confirmed in accordance with his seniority, if:-

(i) he has worked on the post or higher post under the same Appointing Authority or would have so worked but for his deputation or training;

(ii) he fulfills conditions as are prescribed under rule relating to Confirmation subject to the quota prescribed under these Rules; and

(iii) permanent vacancy is available in the department.

(2) If an employee referred to in sub-rule (1) above fails to fulfil the conditions mentioned in the said sub-rule, the period mentioned in sub-rule (1) above, may be extended as prescribed for a probationer under the Rajasthan Civil Services (Departmental Examinations) Rules, 1959 and any other rules or by one year, whichever is longer. If the employee still fails to fulfil the condidtions mentioned in sub-rule (1) above, he will be liable to be discharged or terminated from such post in the same manner as a probationer or reverted to his substantive or lower post, if any, to which he may be entitled.

(3) The employee referred to in sub-rule (1) above, shall not 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 his within the said period of service.

contd.....

(2) The reasons for not confirming an employee referred to in the second proviso to sub-rule (1) shall immediately be recorded by the Appointing Authority in his Service Book and Confidential Report File and in the case of Gazetted Officer communicated to the Accountant General, Rajasthan and in his Confidential Report File. A written acknowledgment shall be kept on record in all these cases.

Explanation: (1) "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 Inida 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, adhoc 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. 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 in 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 case.

vide Notification No. F.2(4)DOP/A-II/79 dated 22-11-1984.

(4) The reasons for not confirming of any employee referred to in sub-rule (1) above shall be recorded by the Appointing Authority in his Service Book and Annual Performance Appraisal Report.

Explanation:- (i) Regular recruitment for the purpose of this rule shall mean:-

(a) appointment by either method of recruitment or on initial Constitution of Service in accordance with the Rules made under the Proviso to Article 309 of the Constitution of India;

(b) appointment to the posts for which no Service Rules exist, if the posts are within the purview of the Commission, recruitment in consultation with them;

(c) appointment by transfer after regular recruitment where the Service Rules Specifically permit;

(d) persons who have been made eligible for substantive appointment to a post under the rules shall be treated as having been regularly recruited;

Provided that it shall not include urgent temporary appointment of officiating promotion which is subject to review and revision.

(ii) Persons who hold lien on 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.”

30. 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 he has failed to give satisfaction, the Appointing Authority may revert him to the post held he holds a lien thereon or in other cases may discharge or terminate him from Service;

Provided that the Appointing Authority may if so thinks it, in any case or class of cases, extend the period of probation of any Member of Service by 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 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.

31. Confirmation:- A probationer 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 the Government may, from time to time, specify;
- (b) he has passed a departmental test of proficiency in Hindi; and
- (c) Government is satisfied that his integrity is unquestionable and that he is otherwise fit for confirmation.

Part-VII Pay

32. 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 35 or as may be sanctioned by the Government, from time to time.

33. Increments during probation:- A probationer shall draw increments in the scale of pay admissible to him during the period of probation in accordance with the provisions of the Rajasthan Service Rules, 1951.

34. Criteria for crossing the Efficiency Bar:- No member of the Service shall be allowed to cross any efficiency bar unless in the opinion of Government he has worked satisfactorily and his integrity is unquestionable.

35. Regulations of pay, leave, allowances, pension etc.:- Except as provided in these Rules, the pay, allowances, pension, leave and other conditions for service of a 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 (Rationalisation of Pay Scales) 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 Services (Revised Pay) Rules, 1961, as amended from time to time;

(6) The Rajasthan Civil Services (New Pay Scales) Rules, 1969, as amended from time to time;

(7) The Rajasthan Traveling Allowances Rules, 1971, as amended from time to time; and

(8) Any other rules prescribing general conditions of Service made by the appropriate authority under the proviso to Article 309 of the Constitution of India, for the time being in force.

36. Removal of doubts:- If any doubt arises relating to the application and scope of these Rules, it shall be referred to the Government in the Department of Personnel whose decision thereon shall be final.

37. 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 an action taken under the rules and order so superseded shall be deemed to have been taken under the provisions of these Rules.

38. 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 to age or experience of any person, it may with the concurrence of the Department of 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 favourable than the provisions already contained in these Rules. Such cases of relaxation shall be referred to the Rajasthan Public Service Commission by the + “Administrative Department concerned”.

+ Substituted for the expression- “Department of Personnel and Administrative Reforms, (Department of Personnel-A-Group-II).
vide Notification No. F.11(2)DOP/A-II/75 dated 18-8-1982.

⁺ **SCHEDULE-I**

26

S. No.	Name of Post	Method of recruitment with percentage	Minimum qualification for direct recruitment	Post from which promotion is to be made	Qualification and experience for promotion	Remarks
1	2	3	4	5	6	7
1.	Additional Transport Commissioner Regional Transport Officer	100% by promotion		Joint Transport Commissioner cum Regional Transport Officer	5 year's experience on the post mentioned in column 5 or 25 year's combined experience on the posts of Joint Transport Commissioner cum Regional Transport Officer, Deputy Transport Commissioner cum Regional Transport Officer, Assistant Transport Commissioner cum Addl. Regional Transport Officer cum Senior District Transport Officer and District Transport Officer	

+ Substituted vide Notification No. F. 1 (9) DOP/A-II/89, dated 04.09.2013.

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1	2	3	4	5	6	7
2.	Joint Transport Commissioner Regional Transport Officer	100% by promotion	-	Deputy Transport Commissioner cum Regional Transport Officer	5 year's experience on the post mentioned in column 5 or 18 year's combined experience on the posts of Deputy Transport Commissioner cum Regional Transport Officer, Assistant Transport Commissioner cum Addl. Regional Transport Officer, cum Senior District Transport Officer and District Transport Officer	
3.	Deputy Transport Commissioner Regional Transport Officer	100% by promotion	-	Assistant Transport Commissioner cum Addl. Regional Transport Officer cum Senior District Transport Officer	Graduate of a University established by Law in India with 5 year's experience on the post mentioned in column 5 or 12 year's combined experience on the posts of Assistant Transport	

1	2	3	4	5	6	7
					Commissioner & District Transport Officer, out of which at least 2 years experience should be on the post of Assistant Transport Commissioner	
4.	Assistant Transport Commissioner Cum Addl. Regional Transport Officer cum Senior District Transport Officer	100% by promotion	-	District Transport Officer	5 years experience on the post mentioned in Col. 5	
5.	District Transport Officer	50% by direct recruitment according to the provisions laid down in the Rajasthan	As prescribed in the Rajasthan State and Subordinate Services (Direct Recruitment by Combined	Motor Vehicles Inspector	5 years experience on the post mentioned in Col. 5	Till directly recruited candidates are not available, the post mentioned in

1	2	3	4	5	6	7
		State and Subordinate Services (Direct Recruitment by Combined Competitive Examination) Rules, 1999 and 50% by promotion	Competitive Examination) Rules, 1999			Col. 2 may be filled up from amongst the members of Rajasthan Administrative Service

Raj. Transport Subordinate Service Rules, 1979

@ “SCHEDULE-II”

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@@SCHEDULE-II

Syllabus for the Qualifying Examination for Promotion of Motor Vehicle Inspectors to District Transport Officers.

PAPER-I

Maximum Marks-100

Time allowed-3 Hrs.

(General Hindi-50)

(General English-50)

General Hindi and General English**Part ‘A’****GENERAL HINDI**

1. An essay of 4 to 5 pages on the subjects of Social, Economic, Political, Administrative or topics of General importance. 20
2. A brief write up on any problem relating to Transport Department 20
3. Precis writing of unseen passage and questions based thereon 10

Part ‘B’**GENERAL ENGLISH**

1. A brief write-up in any modern topic or problem preferable relating to the Surface Transport. 20
2. Precis writing of an unseen passage. 20
3. Use of popular usages idioms and proverbs. 20

or

Distinction between pairs of words.

or

Narrative description of any incident.

PAPER-II

Maximum Marks-100

Time allowed-3 Hrs.

The Motor vehicle Act, 1988. The Central Motor Vehicles Rules 1989. The Rajasthan Motor Vehicles Rules 1990, The Rajasthan Motor Vehicle Taxation Act, Boating Act, 1956 and The Rajasthan Regulation of Boating Rules, 1957 and the Rajasthan Motor Transport Worker Act, 1961.

1. The Motor Vehicle Act, 1988.

Chapter-I DEFINITIONS : SECTION 2.

Chapter-II LICENSING OF DRIVERS OF MOTOR VEHICLES SECTIONS 3 to 28.

- Chapter-III LICENSING OF CONDUCTORS OF STAGE CARRIAGES SECTIONS 29 to 38.
- Chapter-IV REGISTRATION OF MOTOR VISHICLES SECTIONS 39 to 65. Chapter-V CONTROL OF TRANSPORT VEHICLES SECTIONS 66 to 96. Chapter-VI SUBJECT PROVISIONS RELATING TO STATE TRANSPORT UNDERTAKING SECTIONS 97 to 108.
- Chapter-VII CONSTRUCTION, EQUIPMENT, AND MAINTENANCE OF MOTOR VEHICLE SECTION 109 to 111.
- Chapter-XIII OFFENCES, PENALTIES AND PROCEDURE SECTION 177 to 2210.
- Chapter-XIV APPOINTMENT OF MOTOR VEHICLES OFFICERS SECTION 213.
2. Schedule of the Motor Vehicles Act.
 3. Central Motor Vehicles Rules, 1990.
 4. The Rajasthan Motor Vehicle Rules 1990.
 5. The Rajasthan Motor Vehicles Taxation Act, 1951. Section 1 to 22 and Schedules.
 6. The Rajasthan Motor Vehicles Taxation Rules, 1951.
 7. The Rajasthan Regulation of Boating Act and Rules.
 8. The Motor Traffic Rules under Section 118.
 9. The Rajasthan Motor Transport Workers Act, 1951.

In this paper the candidates will be asked about the procedure in regard to tax determination, filling of complaints (Challans) in courts, writing order for compounding of offences, filling reply in the court to show cause notice issued by the court in regard to vehicles seized or detained by the department, writing orders for the grant of the stage carriage permits on the basis of merits and demerits of the applications received and preparing of search memo and such allied matters of practical exercises.

PAPER-III

Maximum Marks-100
Time allowed-3 Hrs.

The Rajasthan Service Rules, The General Financial & Accounts Rules, and The Rajasthan Civil Services (Classification, Control & Appeal) Rules and The Rajasthan Transport Service Rules.

1. The Rajasthan Service Rules, 1951. Chapter II, III, IV, V, VIII, IX, X, XI & XII.
2. The Rajasthan General Financial & Accounts Rules.
3. The Rajasthan Civil Service (Classification, Control & Appeal) Rules, 1958
4. The Rajasthan Transport Service Rules, 1979.
5. Question to test the knowledge of the candidate in regard to rules/circulars/orders/instructions issued by the Government from time to time in respect of matters relating to Departmental Promotion Committee meetings, Urgent Temporary Appointments and procedure laid down for regular appointments by promotion.

Note:—

1. All the Notifications and orders issued under the Act and Rules prescribed will also be included in the Syllabus.
2. Minimum pass marks will be in each paper and 45% in aggregate.
3. Any person who fails but obtains 45% or more marks in any subject (s) shall be exempted from appearing in the that subject(s) at the subsequent examination.
4. Bare Acts and Rules shall be allowed in the Examination.
5. persons who have attained the age of 45 years on or before 1st January, 1982 shall be exempted from appearing in the Examination.
Vide Notification No. F. 1 (9) DOP/A-Ii/89, dated 13-4-1992.

@@Schedule-II Substituted for:—

SCHEDULE-II

Syllabus for the Qualifying Examination for promotion of motor Vehicle Inspectors to District Transport Officer.

PAPER No. 1

Maximum Marks : 100

Time Allowed : 3 Hrs.

Motor Vehicle Act, 1939. Rajasthan Motor Vehicle Rules, and Rajasthan Boating Act and Rules and Civil, Criminal & Revenue Laws.

1. (a) Motor Vehicle Act, 1939 and Rajasthan Motor Vehicles Rules, 1951.
(b) Rajasthan Boating Act, 1956 and Rajasthan Regulation of Boating Rules, 1957.

2. Judicial Matters:-

- (a) Indian Penal Code :- Chapter I, II, IV, IX, X, XI and XXIII.
(b) Criminal Procedure Code-Chapter I, VI, VIII & XV.
(only Sec. 19 S).
(c) Indian Evidence Act.
(d) The Civil Procedure Code (orders 5,13, 16 & 18)
(e) Rajasthan Land Revenue Act section 230 and the Rajasthan Land Revenue (Payment, Credit, Refunds and Recovery) Rules, 1958 provision of rules (29 to 35 and 36 to 45).

PAPER No. II

Maximum Marks : 100

Time allowed : 3 hours

Taxes on Motor Vehicles

1. The Rajasthan Motor Vehicles Taxation Act, 1951. The Rajasthan Motor Vehicles Taxation Rules, 1951.
2. The Rajasthan Passengers and Goods Taxation Act, 1959.
The Rajasthan Passengers and Goods Taxation Rules, 1959.

PAPER No. III

Maximum Marks : 100

Time allowed : 3 Hrs.

Finance, Accounts & Service Rules.

- (a) Budget Manual Chapter I to VI, VIII, XI & XII.
(b) The Rajasthan General Financial & Accounts Rules : Chapter 1 to 11, 15, 17 (V) and 18 (1).
(c) The Rajasthan Service Rules, 1951 - III. Edition Chapter I to VI, VIII to X, XI (Sec. I, V & VII), XII & X.
Appendix I to XV
(d) Rajasthan Raveling Allowance Rules, 1971.
(e) Rajasthan Civil Service (Classification, Control and Appeal) Rules, 1958.

Note:- (1) All the notification and orders framed under the Act and Rules prescribed will also be included in the syllabus.

- (2) Minimum pass marks will be 40% in each paper and 45% in arrgregate.
vide Notification No. F. 1 (9) DOp/A-II/89, dated 24-8-1981.