

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

No. F.2(1)DOP/A-2/13

Jaipur, Dated: 28.05.13

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Rajasthan hereby makes the following rules regulating recruitment to posts in, and the conditions of service of persons appointed to the Rajasthan Education Assistant Services Rules, namely :-

PART I - General

1. Short title and commencement.- (1) These rules may be called the Rajasthan Education Assistant Services Rules, 2013.

(2) These rules shall come into force with immediate effect.

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

- (a) "Appointing Authority" means the District Education Officer (Elementary Education);
- (b) "Commission" means the Rajasthan Public Service Commission;
- (c) "Committee" means a committee referred to in the Schedule appended to these rules;
- (d) "Department" means the Department of School Education;
- (e) "Direct recruitment" means recruitment made according to the procedure prescribed in Part IV of these rules;
- (f) "Director" means the Director of Elementary Education;
- (g) "Government" means the Government of Rajasthan;
- (h) "Member of the service" means a person appointed to a post in the service on the basis of regular selection under the provisions of these rules or the rules or order superseded by these rules;
- (i) "Schedule" means the Schedule appended to these rules;
- (j) "Service" means the Rajasthan Education Assistant Service;
- (k) "Experience" wherever prescribed in these rules for the purpose of weightage means the experience gained in any Government school/ Government Educational Projects viz. Lok Jumbish Pariyojana/

Sarva Shiksha Abhiyan/ District Primary Education Programme/ Rajiv Gandhi Pathshala/ Shiksha Karmi Board and Madarsa listed under the Madarsa Board;

Note: Absence during service e.g. training, leave, deputation and summer vacation etc. shall also be counted as service for computing experience required for the purpose of weightage;

(l) "State" means the State of Rajasthan;

(m) "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vacancy after due selection by any of the methods of recruitment prescribed under these rules, or the rules or orders repealed by these rules and includes an appointment on probation or as a probationer followed by confirmation on the completion of the probationary period;

Note: Due selection by any methods of recruitment prescribed under these rules shall 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 urgent temporary appointment.

(n) "Year" means the financial year.

3. Interpretation.- Unless the context otherwise requires, the Rajasthan General Clauses Act, 1955 (Rajasthan Act No. VIII of 1955) shall apply for the interpretation of these rules as it applies for the interpretation of Rajasthan Act.

PART II - Cadre

4. Composition and strength of the service.- (1) The nature of post(s) included in the service shall be as specified in column 2 of the Schedule.

(2) The strength of posts in the service 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 as may be considered necessary and may abolish any such posts in the like manner without entitling any person to any compensation; and

(b) leave unfilled or hold in abeyance or abolish or allow to lapse

any post, permanent or temporary, without thereby entitling any person to any claim or compensation.

5. Constitution of the service.-The service shall consist of all persons recruited by the method laid down in rule 6 of these rules.

PART III - Recruitment

6. Methods of recruitment.- (1) Recruitment to the post(s) in the service after the commencement of these rules shall be made by direct recruitment in accordance with the Procedure laid down in Part IV of these rules:

Provided that appointment, 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.

7. Compassionate appointment of Dependents of the Deceased/ Permanently Incapacitated Armed Forces Service Personnel/Paramilitary Personnel.- (1) Notwithstanding anything contained in these rules, the Appointing Authority may fill the vacancies of the,-

- (i) Post to be filled in by direct recruitment by appointing on compassionate ground, one of the dependents of a member of Armed Forces/Para Military Forces belonging to the State who becomes permanently incapacitated on or after 1.4.99 in any defence operations including counter insurgency operations and operations against terrorists;
- (ii) Post to be filled in by direct recruitment by appointing on compassionate ground, one of the dependents of a member of Armed Forces/Para Military Forces belonging to the State who dies on or after 1.4.99 in any defence operations including counter-insurgency operations and operations against terrorists;

subject to fulfillment of the educational qualifications and other service conditions prescribed under the relevant service rules and with the concurrence of Department of Personnel.

- (ii) Post to be filled in by direct recruitment by appointing on compassionate ground, one of the dependent of a member of Armed Forces belonging to the State, who died or was permanently incapacitated in war or any defence operations including counter insurgency operations and operations against terrorists during the period from 1.1.71 to 31.3.99, subject to fulfillment of the educational qualifications and other service conditions prescribed under the relevant Service Rules and with the concurrence of Department of Personnel:

Provided that --

- (a) if the Armed Forces/Para Military Personnel who are permanently incapacitated are capable of and desirous of obtaining employment for themselves under the State Government, employment shall be given to them.
- (b) if the widow or the children of the Armed Forces/Para Military Personnel who are killed or permanently incapacitated are not in a position to take up employment immediately, employment will be given to them on acquiring of eligibility for appointment.

(2) Appointment shall be given to a dependent of Armed Forces/Para Military Personnel only if any of them has not got appointment on any post under the provisions of concerned service rules prevailing in the Government of India.

(3) Appointment shall not be given to such dependent if any of the other dependents of the Armed Forces/Para Military Personnel is already employed on regular basis under the Central/any State Government or Statutory Board Organization/Corporation owned or controlled wholly or partially by the Central/any State Government at the time of death of the Armed Forces/Para Military Personnel:

Provided that this condition shall not apply where the widow seeks employment for herself.

(4) Such dependents shall address an application for the purpose to the Zila Sainik Kalyan Adhikari in the case of Armed Forces and the Officer Commanding the Para Military Unit for Para Military Forces duly verified by the Head of the Unit where the deceased/permanently incapacitated member of the Armed Forces/Para Military Forces was serving at the time of death/becoming permanently incapacitated. The application shall be considered in relaxation of the normal recruitment rules subject to the condition that the dependent fulfills the academic qualification and

experience and age limit prescribed for the post and also otherwise qualified for Government Service.

(5) The application of such dependent shall be forwarded to the District Collector concerned for suitable appointment according to the qualifications possessed by the dependent. In the event of non-availability of vacancy in the District concerned, application shall be sent to the Divisional Commissioner who shall arrange appointment in any District under his jurisdiction. If vacant post is not available under the jurisdiction of the Divisional Commissioner then the application shall be referred by the Divisional Commissioner to Government in the Department of Personnel for providing appointment.

(6) The application shall contain the following information: -

- (i) Name and designation of the deceased/permanently incapacitated Armed Force/Para Military Force personnel;
- (ii) Unit in which he/she was working prior to death/becoming permanently incapacitated;
- (iii) Date and place of death with death certificate issued by the Authority competent to declare a battle casualty or becoming permanently incapacitated; and
- (iv) Name, date of birth, educational qualification of the applicant and his/her relation with the deceased (with certificates).

Explanation: For purpose of this rule,-

- (a) "Armed Force" means the Army, Navy and Air Force of the Union;
- (b) "Dependent" means the spouse of the deceased/permanently incapacitated person, son/adopted son, unmarried daughter/unmarried adopted daughter who were wholly dependent on deceased/permanently incapacitated Armed Forces Service personnel/Para Military personnel;

Note: Adopted son/daughter means legally adopted son/daughter by the deceased/permanently incapacitated person during his/her life.

- (c) "Para Military Forces" means Border Security Force, Central Reserve Police Force, Indo Tibetan Border Police and other Para Military Force as may be notified by Central and State Government, from time to time.

- (d) "Permanently incapacitated" means a person who is covered under the definition of the term "person with disabilities" as provided in the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (Act No. 1 of 1996).

8. Reservation of vacancies for the Scheduled Castes and the Scheduled Tribes.- (1) Reservation of vacancies for the Scheduled Castes and the Scheduled Tribes shall be in accordance with the provision of law in force at the time of direct recruitment.

(2) In filling the vacancies so reserved the eligible candidates who are members of the Scheduled Castes and the Scheduled Tribes shall be considered for appointment in the order in which their names appear in the list prepared for direct recruitment by the Appointing Authority.

(3) Appointments shall be made strictly in accordance with the roster prescribed for direct recruitment.

(4) In the event of non-availability of the eligible and suitable candidates amongst the Scheduled Castes or Scheduled Tribes, as the case may be, for direct recruitment, in a particular year, the vacancies so reserved for them shall be carried forward to the subsequent three recruitment years. After the expiry of three recruitment years, such carried forward vacancies shall be filled in accordance with the normal procedure:

Provided that if recruitment is not held in any recruitment year, such recruitment year shall not be counted for the purpose of this sub-rule:

Provided further that filling up of the vacancies in accordance with the normal procedure under this sub-rule shall not affect the reservation of posts as per the post based roster and vacancies on the reserved posts available in the roster may be filled in from amongst the persons belonging to the Scheduled Castes and the Scheduled Tribes, as the case may be, for which such vacancy is available in subsequent years.

9. Reservation of vacancies for the Backward Classes, Special Backward Classes and Economically Backward Classes. – Reservation of vacancies for the Backward Classes, Special Backward Classes and Economically Backward Classes shall be in accordance with the provision of law in force at the time of direct recruitment. In the event of non-availability of eligible and suitable candidate amongst Backward Classes, Special Backward Classes and Economically Backward Classes in a particular year, the vacancies so reserved for them shall be filled in accordance with the normal procedure.

10. Reservation of vacancies for women. - Reservation of vacancies for women candidates shall be 30%, category wise, in direct recruitment out of which 8% shall be for widows and 2% for divorced women candidates. In the event of non-availability of the eligible and suitable widow and divorced women candidates in a particular year, the vacancies so reserved for widow and divorced women candidates shall be filled in by other women candidates and in the event of non-availability of eligible and suitable women candidates, the vacancies so reserved for them shall be filled up by male candidates and such vacancies shall not be carried forward to the subsequent year and the reservation shall be treated as horizontal reservation i.e. the reservation of women candidates shall be adjusted proportionately in the respective category to which the women candidates belong.

Explanation: 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 divorce.

11. Reservation of vacancies for outstanding sports persons. - Reservation of vacancies for outstanding sports persons shall be 2% of the total vacancies in that year earmarked for direct recruitment. In the event of non-availability of the eligible and suitable sportspersons in a particular year, the vacancies so reserved for them shall be filled in accordance with the normal procedure and such vacancies shall not be carried forward to the subsequent year. The reservation for sportspersons shall be treated as horizontal reservation and it shall be adjusted in the respective category to which the sportspersons belong.

Explanation: Outstanding sportspersons' shall mean and include the sportspersons belonging to the State, who.-

(i) represented Indian Team in Individual or in Team event in any International Tournament of any Sports and Games, recognized by the Indian Olympic Association or concerned recognized National Sports Federation;

or

(ii) represented Indian Team in Individual or in Team event in any International Tournament of any Sports and Games, recognized by the Indian School Sport Federation or concerned recognized National School Games Federation;

or

(iii) Medal Winner in the Individual or in the Team event in any National Tournament of any Sports and Games, recognized by the Indian Olympic Association or concerned recognized National Sports Federation;

or

(iv) Medal Winner in the All India Inter University Tournament in Individual event or in Team event in the any Sports and Games, recognized by Indian Universities Association.

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

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government in the Department of Home Affairs and Justice after proper verification.

13. 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 settling in India shall be regulated by such order 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.

14. Determination of vacancies. - (1) Subject to the provisions of

these rules, the Appointing Authority shall determine on 1st April every year, the actual number of vacancies occurring during the financial year.

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

15. Age. - A candidate for direct recruitment to a post enumerated in the Schedule must have attained the age of 18 years and must not have attained the age of 35 years on the first day of January next following the last date fixed for receipt of applications:

Provided that-

- (i) the upper age limit shall be relaxed by :-
 - (a) 5 years in case of male candidates belonging to the Scheduled Castes, Scheduled Tribes, Backward Classes and Special Backward Classes.
 - (b) 5 years in the case of woman candidates belonging to General Category and Economically Backward Classes.
 - (c) 10 years in case of woman candidates belonging to the Scheduled Castes, Scheduled Tribes, Backward Classes and Special Backward Classes.
- (ii) the upper age limit mentioned above shall not apply in case of an ex-prisoner who had served under the Government on a substantive basis on any post before his conviction and was eligible for appointment under these rules;
- (iii) 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 overage before his conviction and was eligible for appointment under these rules;
- (iv) the upper age limit mentioned above shall be relaxed by a period equal to the service rendered in the National Cadre Corps in the case of Cadet Instructors, if the resultant age does not exceed the prescribed maximum age limit by more than three years such candidate shall be deemed to be within the prescribed age limit;
- (v) the persons appointed temporarily to a post in the service shall be deemed to be within the age limit if they were within the age limit when they were initially appointed even though they have crossed the age limit when they appear for direct recruitment and

shall be allowed upto two chances had they been eligible as such at the time of their initial appointment;

- (vi) the upper age limit for persons serving in connection with the affairs of the State, Panchayat Samiti and Zila Parishad and in the Public Sector undertaking corporation in substantive capacity shall be 40 years;
- (vii) the Released Emergency Commissioned Officers and Short Service Commissioned Officers after release from the Army shall be deemed to be within the age-limit even though they have crossed the age-limit when they appear for direct recruitment, had they been eligible as such at the time of their joining the commission in the Army;
- (viii) the upper age limit for reservist namely the defence personnel transferred to the reserve and the ex-service personnel shall be 50 years;
- (ix) there shall be no upper age limit in the case of widow and divorced women;

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

- (x) the person serving under any Government school/ Government Educational Projects viz. Lok Jumbish Pariyojana/ Sarva Shiksha Abhiyan/ District Primary Education Programme/ Rajiv Gandhi Pathshala/ Shiksha Karmi Board and Madarasa listed under the Madarsa Board shall be deemed to be within age limit, had they been within the age limit when they were initially engaged even though may have crossed the age limit at the time of direct recruitment;

16. Academic and technical qualifications and experience.- A candidate for direct recruitment to the post enumerated in the Schedule shall possess,-

- (i) the qualifications and experience given in column 4 of the Schedule; and
- (ii) working knowledge of Hindi written in Devnagri script and knowledge of Rajasthani culture.

17. Character.- The character of a candidate for direct recruitment to

the service must be such as shall 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 or School 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 or School and not related to him.

Note: (1) A conviction by a Court of Law need not itself involve the refusal of a certificate of good character. The circumstances of the conviction would be taken into account and if they involve no moral turpitude or association with crimes of violence or with a movement which has its object to overthrow by violent means of the Government as established by law, the mere conviction need not be regarded as a disqualification.

(2) Ex-prisoners who by their disciplined life while in prison and by their subsequent good conduct, have proved to be completely reformed, should not be discriminated against, on ground of their previous conviction for purposes of employment in the service. Those who are convicted of offences not involving moral turpitude shall be deemed to have been completely reformed on the production of a report to that effect from the Superintendent, After - care Home or if there are no such Homes in a particular district, from the Superintendent of Police of the district.

(3) Those convicted of offences involving moral turpitude shall be required to produce a certificate from the Superintendent, After - care Home, or if there is no such home in a particular district, from the Superintendent of Police of that district endorsed by the Inspector General of Prisons to the effect that they are suitable for employment as they have proved to have been completely reformed by their disciplined life while in prison and by their subsequent good conduct in an After-care Home.

18. Physical Fitness.- A candidate for direct recruitment to the service, must be in good mental and bodily health and free from any mental or physical defect likely to interfere with the efficient performance of his duties as a member of service and if selected must produce a certificate to that effect from a Medical Authority notified by the Government for the purpose. The Appointing Authority may dispense with production of such certificate in the case of candidate, who is already serving in connection

with the affairs of the State if he has already been medically examined for the previous appointment and the essential standards of medical examination of the two posts held by him are to be comparable for efficient performance of duties of the new post and his age has not reduced his efficiency for the purpose.

19. Employment of irregular or improper means.- A candidate who is or has been declared by the Appointing Authority, as the case may be, guilty of impersonation or of submitting fabricated documents or documents which have been tempered with or of making statements which are incorrect or false or 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 whatsoever 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 Appointing Authority from admission to any examination or appearance at any interview held by the Appointing Authority for selection of the candidate, and
- (b) by Government from employment under the Government.

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

PART IV-Procedure for Direct Recruitment

21. Inviting of Application.- Application for direct recruitment to post(s) in the service, shall be invited by the Director by advertising the vacancies to be filled, in the Official Gazette or in such other manner as may be deemed fit. The advertisement shall contain a clause that a candidate who accepts the assignment on the post being offered to him/her shall be paid monthly fixed remuneration at the rate fixed by the State Government from time to time during the period of probation and the scale of pay of the post as shown else-where in the advertisement shall be allowed only from the date of successful completion of the period of probation mentioned in these rules:

Provided that while selecting candidates for the vacancies so advertised, the Appointing Authority, may if intimation of additional

requirement not exceeding 50% of the advertised vacancies, is received by it before selection, also select suitable persons to meet such additional requirement.

22. Frequency of direct recruitment. – Direct recruitment to the post specified in the Schedule shall be held at least once a year unless the Government decides that a direct recruitment for the posts shall not be held in any particular year.

23. Form of Application. - The application shall be made in the form prescribed by the Director and obtainable from Director, on payment of such fee as the Director, may from time to time, prescribe.

24. Application Fee. - A candidate for direct recruitment to a post in the service must pay the fee fixed by the Director, in such manner as may be indicated by it.

25. Scrutiny of applications.- The Committee referred to in column 5 of the Schedule, shall scrutinize the applications received and merit shall be prepared by the Committee on the basis of such weightage as may be specified by the State Government for the marks obtained in minimum qualifying examination mentioned in the Schedule and such marks as may be specified by the State Government having regard to experience, exceeding one year acquired by persons other than those engaged through placement agency, working in any Government school/ Government Educational Projects viz. Lok Jumbish Pariyojana/ Sarva Shiksha Abhiyan/ District Primary Education Programme/ Rajiv Gandhi Pathshala/ Shiksha Karmi Board and Madarsa listed under the Madarsa Board.

Explanation: Wherever percentage of the marks cannot be ascertained due to grade awarded to the candidate in the particular examination, the median of the grade awarded to the candidate in such examination shall be basis for the preparation of the merit list.

26. Recommendation of the Committee. - The Committee referred to in column 5 of the Schedule, shall prepare a list of the candidates, whom they consider suitable for appointment to the post concerned, arranged in order of merit and forward the same to the Appointing Authority:

Provided that the committee, may also to the extent of 50% of the advertised vacancies, keep names of suitable candidates on the reserve list. The Committee, may, on requisition, recommend such names in order of merit to the Appointing Authority within 6 months from the date on which the original list is forwarded by the Committee to the Appointing Authority.

27. Disqualification for appointment.- (1) No male/female candidate

who has more than one wife/husband living shall be eligible for appointment to the service unless the government after being satisfied that there are special grounds permissible under personal law for doing so, exempt any candidate from the operation of this rule.

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

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

Explanation: For the purpose of this rule, 'dowry' has the same meaning as in the Dowry Prohibition Act, 1961 (Central Act No. 28 of 1961).

(4) No candidate shall be eligible for appointment to the service who has more than two children on or after 1st June, 2002:

Provided that the candidate having more than two children shall not be deemed to be disqualified for appointment so long as the number of children he/ she has on 1st June, 2002, does not increase.

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

Provided also that the provision of this sub-rule shall not be applicable to the appointment of a widow to be made under the Rajasthan Compassionate Appointment of Dependents of Deceased Government Servants Rules, 1996.

Provided also that while counting the total number of children of a candidate, the child born from earlier delivery and having disability shall not be counted.

28. Selection by the Appointing Authority.- Subject to the provisions of rule 8, 9, 10 and 11 the Appointing Authority shall select candidates, who stand highest in order of merit in the list prepared by the committee referred to in column 5 of Schedule appended these rules under rule 26:

Provided that the inclusion of a candidate's name in the list confers no right to appointment unless the Appointing Authority is satisfied after

such enquiry as may be considered necessary that such candidate is suitable in all other respects for appointment to the post concerned.

PART V - Appointment, Probation and Confirmation

29. Appointments to the Service. - Appointments to the post(s) in the service by direct recruitment shall be made by the Appointing Authority on occurrence of substantive vacancies from the candidates selected under rule 28 in the order of merit.

30. Urgent temporary appointment. - A vacancy in the service which cannot be filled in immediately under these rules, may be filled in by the Appointing Authority competent to make appointments, with the permission of the State Government by appointing in an officiating capacity thereto a person eligible for appointment to the post by appointing temporarily thereto a person eligible for direct recruitment to the post:

Provided that such an appointment shall not be continued beyond a period of one year.

31. Seniority. - Seniority of persons appointed to the post encadred in the service shall be determined from the date of appointment on the post after regular selection in accordance with the provisions of these rules. Appointment on ad-hoc or urgent temporary basis shall not be deemed to be appointment after regular selection:

Provided that the interse seniority of persons appointed to posts in a particular category by direct recruitment on the basis of one and the same selection, except those who do not join service when a post is offered to them within a period of 6 weeks from the date of issue of order or longer, if extended by the Appointing Authority, shall follow the order in which they have been placed in the list prepared under rule 26;

32. Period of probation. - (1) A person entering the service by direct recruitment against a clear vacancy shall be placed as probationer trainee for a period of 2 years:

Provided that 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- trainee may be required to pass such Departmental Examination and to undergo such training as the Government may, from time to time, specify.

33. Pay during probation.— A probationer-trainee appointed to the service by direct recruitment, shall be paid monthly fixed remuneration during the period of probation at such rates as may be fixed by the Government from time to time:

Provided that an employee having been regularly selected as per provisions of recruitment rules in the Government service may be allowed emoluments in his/her own pay scale in the existing pay scale of the post during service as probationer-trainee or fixed remuneration of the new post, whichever is advantageous to him/her.

34. Confirmation 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 under these rules, has not been confirmed within a period of six months after satisfactory completion of the period of probation of two years, shall be entitled to be treated as confirmed, if -

- (i) he/she 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/she fulfils 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 fulfill 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 fulfill the conditions 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 him within the said period of service.

(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 appointment after regular selection under these rules.

(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.

35. Unsatisfactory progress during probation. – If it appears to the Appointing Authority, at any time, during or at the end of the period of probation, that services of a probationer-trainee are not found to be satisfactory, the Appointing Authority may terminate him/her from service. The Appointing Authority shall accord appropriate opportunity to the probationer-trainee before final orders are passed in this respect:

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 probationer-trainee by a specified period not exceeding one year.

36. Confirmation. - A person placed on probation under rule 32 shall be confirmed in his appointment at the end of his period of probation if -

- (a) he/she has passed the departmental examination and has successfully undergone such training as Government may, from time to time, specify.
- (b) he/she has passed a departmental test of proficiency in Hindi; and
- (c) the Appointing Authority is satisfied that his/her integrity is unquestionable and that he/she is otherwise fit for confirmation.

PART VI- Pay

37. 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 38 or as may be sanctioned by the Government, from time to time.

38. Regulation of Pay, Leave, Allowances, Pension, etc.- Except as provided in these rules, the pay, allowances, pension, leave and other

conditions of service of a member of the service, shall be regulated by -

- (i) The Rajasthan Service Rules, 1951, as amended from time to time;
- (ii) The Rajasthan Civil Services (Classification, Control and Appeal) Rules, 1958, as amended from time to time;
- (iii) The Rajasthan Traveling Allowance Rules, 1971, as amended from time to time;
- (iv) The Rajasthan Civil Services (Conduct) Rules, 1971, as amended from time to time;
- (v) The Rajasthan Civil Services (Pension) Rules, 1996, as amended from time to time;
- (vi) The Rajasthan Civil Services (Revised Pay Scales) Rules, 1998, as amended from time to time;
- (vii) The Rajasthan Civil Services (Contributory Pension) Rules, 2005 as amended from time to time;
- (viii) The Rajasthan Civil Services (Revised Pay) Rules, 2008, as amended from time to time; and
- (ix) 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.

39. 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.

40. Repeal and saving. - All rules and orders in relation to matters covered by these rules and in force immediately before the commencement of these rules are hereby repealed:

Provided that any action taken under the rules and orders so repealed shall be deemed to have been taken under the provision of these rules.

41. Power to relax rules.- In exceptional cases where the Administrative Department of 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 by order 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:

SCHEDULE

S. No	Name of the Post	Method of recruitment with percentage	Minimum qualification and experience for direct recruitment	Committee to recommend for direct recruitment to the post	Remark
1	2	3	4	5	6
1.	Education Assistant	100% by direct recruitment	Secondary from Board of Secondary Education, Rajasthan or its equivalent.	1. District Education Officer (Elementary Education) 2. Additional District Education Officer (Secondary Education) 3. Nominee of Collector not below the rank of Tehsildar	-

By order and in the name of the Governor,


 (Dinesh Kumar Yadav)

Joint Secretary to the Government

35/2013