



# राजस्थान आबकारी सेवा (सामान्य शाखा) नियम, 1974

(दिनांक 31.08.2023 तक संशोधित)

राजस्थान सरकार  
कार्मिक (क-2) विभाग  
(सेवा नियम अद्यतन प्रकोष्ठ)  
शासन सचिवालय, जयपुर

[\[https://dop.rajasthan.gov.in\]](https://dop.rajasthan.gov.in)

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

No. F. 1(1)Appts.(A-II)/67

Jaipur, dated 24.04.1974.

**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 the recruitment to posts in, and the conditions of Service of persons appointed to the Rajasthan Excise Service (General Branch), namely:-

**THE RAJASTHAN EXCISE SERVICE (GENERAL BRANCH)  
RULES, 1974**

**PART -I - General**

**1. Short title and commencement.-** (1) These Rules may be called the Rajasthan Excise Service (General Branch) Rules, 1974.

(2) They shall come into force at once.

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

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

(b) "**Commissioner**" means the Excise Commissioner, Rajasthan;

(c) "**Committee**" means the Committee referred to in rule 11;

(d) "**Commission**" means the Rajasthan Public Service Commission;

<sup>1</sup>(e) "**Government**" and "**State**" mean respectively the Government of Rajasthan and the State of Rajasthan;

(f) "**Equivalent post**" means a post carrying similar nature of duties and responsibility and identical time scale of pay;

<sup>2</sup>(g) "**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to a post in the service on the basis of regular selection under the provisions of these Rules or the Rules or order superseded by these Rules."

(h) "**Schedule**" means the Schedule appended to these rules;  
<sup>3</sup>"Deleted"

(i) "**Substantive Appointments**" means an appointment made under the provision of these rules to a substantive vacancy after due selection by any of the method of recruitment prescribed under these rules and includes an appointment on probation or as probationer followed by confirmation on the completion of the probationary period;

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<sup>1</sup> Substituted for "(e) 'Government' and 'State' mean respectively the Government and the State of Rajasthan" vide Notification No. F. 7(10)DOP/A-II/1974, dated 10.02.1975.

<sup>2</sup> Substituted for "(g) 'Member of the Service' means a person appointed in substantive capacity to a post in the Service under the provisions of these Rules or the Rules of orders supersede by these Rules, and includes a person placed on probation" vide Notification No. F. 7(1)DOP/A-II/1996, dated 10.10.2002.

<sup>3</sup> Deleted Clause "(i) 'Service' means the Rajasthan Excise Service (General Branch) and" clause (J) and (K) renumbered as clause (i) and (J)." vide Notification No. F. 1(1)Appts./A-II /67, dated 21.01.1976.

- <sup>1</sup>(j) "**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 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.

- <sup>2</sup>(k) "**Year**" means The Financial Year.

**3. Interpretation.-** Unless the context otherwise requires the Rajasthan General Clauses Act, 1955 (Rajasthan) Act 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 of the Service.-** (1) The nature of posts included in each category of the service shall be as specified in column 2 of Schedule-I.

(2) The strength of post in each category of the Service shall be such as may be determined by Government, from time to time:-

Provided that -

- (a) the Government may 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) that the Government may 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;

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<sup>1</sup> Substituted for <sup>x</sup>“(j) '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 Post in the case of person holding such post in substantive capacity shall include the period for which the person has continuously work on such post after regular recruitment in accordance with the Rules promulgated under proviso to Article 309 and shall also include the experience gained by officiating, temporary or ad-hoc appointment, if such appointment is in the regular line of promotion and was not of stopgap or fortuitous nature or invalid under any law and does not involve supersession of any senior official, except when such supersession was either due to want of prescribed academic and other qualifications, unfitness or non-selection by merit or the default of the senior official concerned \*”or when such ad-hoc or urgent temporary appointment was in accordance with seniority-cum merit.”  
Note: Absences during services e.g. training and deputation which are treated as "duty" under the R.S.R., shall also be counted as service for computing minimum experience of service required for promotion.” vide Notification No. F. 6(2)DOP/A-II/71, dated 29.08.1982.

<sup>x</sup> Inserted vide Notification No. F. 6(2)DOP/A-II/71, dated 09.10.1975.

<sup>\*</sup> Inserted vide Notification No. F. 6(2)Appts./A-II/71, dated 13.07.1976. (Effective from 01.10.1975)

<sup>2</sup> Added vide Notification No. F. 7(2)DOP/A-II/81, dated 21.12.1981. (Effective from 01.04.1981)

- <sup>1</sup>(c) such number of posts of District Excise Officers as may be determined by the Government, from time to time, shall be encoded in the Service except that not less than 04 posts of District Excise Officers shall be in the Service.

**5. Constitution of the Service.-** The Service shall consist if:-

- (a) all persons holding substantively the post specified in schedule I;
- (b) all persons recruited to the Service before the commencement of these rules; and
- (c) all person recruited to the service in accordance with the provision of these rules.

**PART – III - Recruitment**

**6. Methods of Recruitment.-** <sup>2</sup>“(1) Recruitment to the service after the commencement of the Rajasthan Excise Service (General Branch) (Amendment) rules, 2016 shall be made by the following methods in the proportion indicated in column 3 of the Schedule-I,-

- (a) by direct recruitment in accordance with the procedure laid down in Part-III A of these rules; and
- (b) by promotion in accordance with the procedure laid down in Part-IV of these rules.”

<sup>3</sup>(2) Recruitment to the service by the aforesaid method shall be made in such a manner that the persons appointed to the service by each method do not at any time exceed the percentage laid down in the Rules/Schedules of the total cadre strength as sanctioned for each category from time to time.

Provided:-

- (1) that nothing in these rules shall preclude the Government from appointing Officers who were immediately before 01-11-1956 in the employment of pre-reorganization States of Ajmer, Bombay and Madhya Bharat to suitable posts specified in Schedule I in accordance with the (directions) governing the integration of their services;
- (2) that if the Government is satisfied, in consultation with the Commission, that suitable persons are not available for appointment as Assistant Excise Officers, promotion in a particular year, the vacancies may be filled up by appointing on deputation, an officer from the Rajasthan Tehsildar Service, provided that he has completed at least five years' service as Tehsildar;
- (3)(a) that the person who were appointed to the posts included in Schedule I in ad-hoc/ officiating/temporary basis before 01-01-1972 and were working as such on the date these rules come into force shall be screened by the Committee referred to in rule 11 for adjudging their suitability on the posts held provided in the rules or the prescribed qualification on the basis of which the persons were selected for ad-hoc/officiating/temporary appointment:

<sup>1</sup> Inserted vide Notification No. F. 11(69)/FD/Ex/75,dated 25.02.1977.

<sup>2</sup> Substituted for "(1) that nothing in these rules shall preclude the Government from appointing Officers who were immediately before 01-11-1956 in the employment of pre-origination States of Ajmer, Bombay and Madhya Bharat to suitable posts specified in Schedule I in accordance with the <sup>+</sup>"directions" governing the interaction of their services;" vide Notification No. F. 1(12)DOP/A-II/89, dated 27.01.2017.

<sup>+</sup> Substituted for "rules" vide Notification No. F. 7(4)DOP/A-II/75, dated 27.05.1975.

<sup>3</sup> Added vide Notification No. F. 7(2)DOP/A-II/81, dated 13.11.1996.

Provided that a person appointed on an ad-hoc basis shall not be entitled to screening for a post higher than to which he was initially appointed, if a person senior to him on lower post who fulfilled qualifications prescribed for the post was either not given such ad-hoc appointment or is not entitled to screening under this rule;

Note:- Seniority for this purpose will be determined in each category according to length of continuous service to a post held by the person concerned on the date referred to above.

(b) Appointment to the posts shall be made by Government on the basis of the recommendations made by the Committee.

<sup>1</sup>Provided further that the Committee appointed under these rules for adjudging suitability by screening either as an exception of general methods of recruitment or as initial Constitution of Service, may ex-gratia recommend, if any of the employee with more than three years of service on a post for which he is to be screened is not adjudged suitable and if thereafter has no right to be appointed on a lower post, for such lower post being offered to him by absorption and there upon such employee shall be treated as surplus employee under the provisions of the Rajasthan Civil Services (Absorption of Surplus Personnel) Rules, 1969 and such employee may be absorbed on the lower post on the recommendation of the Committee subject to such conditions as may be laid down by it.

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

**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 <sup>2</sup>“the provisions of the Rajasthan Schedule Caste, Schedule Tribe, Backward Classes, Special Backward Class and Economically Backward Classes (Reservation of Seats in Education Institution in the State and of Appointment and Post in Service under the State) Act, 2008” the government for such reservation in force at the time promotion.

(2) The vacancies so reserved for promotion shall be filled in by <sup>3</sup>“seniority-cum-merit and merit.”

(3) In filling the vacancies so reserved the eligible candidates who are members of the Scheduled Castes and the Scheduled Tribes shall be considered for appointment in the order in which their names appear in the list prepared by the Departmental Promotion Committee irrespective of their relative rank as compared with other candidates.

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<sup>1</sup> Inserted vide Notification No. F. 7(7)DOP/A-II/73, dated 29.06.1974.

<sup>2</sup> Substituted for “order of the Government for such reservation in force” vide Notification No. F. 7(8)DOP/A-II/2008, dated 28.08.2009.

<sup>3</sup> Substituted for <sup>#</sup>“Merit alone” vide Notification No. F. 7(4)DOP/A-II/73, dated 29.01.1981.

<sup>#</sup> Substituted for “Merit-cum-seniority” vide Notification No. F. 7(6)DOP/A-II/75-III, dated 31.10.1975.

<sup>1</sup>(4) Appointments shall be made strictly in accordance with the rosters prescribed separately for direct recruitment and promotion.

(4A) In the event of non-availability of the eligible and suitable candidates amongst the Scheduled Castes or the 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 carry 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 or Scheduled Tribes, as the case may be, for which such vacancy is available in subsequent years.

(4B) In the event of non-availability of the eligible and suitable candidates for promotion amongst the Scheduled Castes or the Scheduled Tribes, as the case may be, in a particular year, the vacancies so reserved for them shall be carried forward until the suitable Scheduled Castes or Scheduled Tribes candidate(s), as the case may be, are available. In any circumstances no vacancy reserved for the Scheduled Castes and the Scheduled Tribes candidates shall be filled by promotion from General category candidates. In exceptional cases, where in the public interest, the Appointing Authority feels that it is necessary to fill up the vacant reserved

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<sup>1</sup> Substituted for %“(4) Appointment shall be made strictly in accordance with the rosters prescribed separately for direct recruitment and promotion. In the event of non-availability of the eligible and suitable candidates amongst the Scheduled castes and the scheduled tribes, as the case may be, in a particular year, the vacancies so reserved for them shall be carried forward until the suitable scheduled castes and the scheduled tribes candidate(s), as the case may be, are available. In any circumstances no vacancy reserved for scheduled castes and the schedules tribes candidates shall be filled by promotion as well as by direct recruitment from General category candidates. However, in exceptional cases where in the public interest the Appointing Authority feels that it is necessary to fill up the vacant reserved post(s) by promotion from the General category candidates on urgent temporary basis, the Appointing Authority may make a reference to the department of personnel and after obtaining prior approval of the department of personnel, they may fill up such post(s) by promoting the general category candidate(s) on urgent temporary basis clearly stating in the promotion order that the general category candidate(s) who are being promoted on urgent temporary basis against the vacant post reserved for scheduled castes or the scheduled tribes candidates, as the case may be, shall have to vacate the post as and when the candidate(s) of that category become available.” vide Notification No. F. 7(1)DOP/A-II/2008, dated 17.01.2013.

% Substituted for #“(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 Scheduled Castes and Scheduled Tribes, as the case may be, in a particular year, the vacancies so reserved for them shall be filled in accordance with the normal procedure, and an equivalent number of additional vacancies shall be reserved in the subsequent year. Such of the vacancies which remain so unfilled shall be carried forward to the subsequent three recruitment years in total, and thereafter such reservation would lapse.

Provided that there shall be no carry forward of the vacancies in posts or class/category/group of the posts in any cadre of Service to which promotions are made on the basis of a @“deleted” “merit alone, under these Rules.” vide Notification No. F. 7(4)DOP/A-II/2002, dated 10.10.2002.

# Substituted for "(4) in the event of non-availability of a sufficient number of eligible and suitable candidates amongst the Scheduled Castes and Scheduled Tribes in a particular year vacancies shall not be carried forward and shall be filled in accordance with the normal procedure." vide Notification No. F. 7(10)DOP/A-II/74, dated 10.02.1975.

@ Deleted “both merit and Merit-cum-Seniority” vide Notification No. F. 7(6)DOP/A-II/75, dated 31.10.1975.

post(s) by promotion from the General category candidates on urgent temporary basis, the Appointing Authority may make a reference to the Department of Personnel and after obtaining prior approval of the Department of Personnel, they may fill up such post(s) by promoting the General category candidate(s) on urgent temporary basis clearly stating in the promotion order that the General category candidate(s) who are being promoted on urgent temporary basis against the vacant post reserved for the Scheduled Castes or Scheduled Tribes candidates, as the case may be, shall have to vacate the post as and when the candidate(s) of that category become available:

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

**<sup>1</sup>8A. Reservation of vacancies for Backward Classes and More Backward Classes.-** Reservation of vacancies for Backward Classes and More Backward Classes shall be in accordance with the provisions of law in force at the time of direct recruitment. In the event of non-availability of the eligible and suitable candidates amongst the Backward Classes and More Backward Classes, 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,-

- (i) If recruitment is not held in any recruitment year, such recruitment year shall not be counted for the purpose of this rule.
- (ii) filling up of the vacancies in accordance with the normal procedure under this 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 Backward Classes and More Backward Classes, as the case may be, for which such vacancy is available in subsequent years.”

**<sup>#</sup>8AA. Reservation of vacancies for Economically Weaker Sections.-** Reservation of vacancies for Economically Weaker Sections shall be 10% in direct recruitment in addition to the existing reservation. In the event of non-availability of eligible and suitable candidate amongst Economically Weaker Sections in a particular year, the vacancies so reserved for them shall be filled in accordance with the normal procedure.

**Explanation:** For the purpose of this rule 'Economically Weaker Sections' shall be the persons who are bonafide resident of Rajasthan and not covered under the existing scheme of reservations for the Scheduled Castes, the Scheduled Tribes, the Backward Classes, the More Backward Classes and whose family has gross annual income below rupees 8.00 lakh. Family for this purpose will include the person who seeks benefit of reservation, his/her parents and siblings below the age of 18 years as also his/her spouse and children below the age of

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<sup>1</sup> Substituted for %<sup>8A</sup>. Reservation of vacancies for Backward classes, Special Backward Classes and Economically Backward Classes.- Reservation of vacancies for Backward Classes, Special Backward Classes and Economically Backward Classes shall be accordance with the provision of law in force at the time of direct recruitment. In the event of non-availability of eligible and suitable candidates 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.” vide Notification No. F. 7(10)DOP/A-II/2023, dated 28.07.2023.

% Inserted vide Notification No. F. 1(12)DOP/A-II/89, dated 27.01.2017.

# Added vide Notification No. F. 7(10)DOP/A-II/2023, dated 28.07.2023.

18 years. The income shall include income from all sources i.e. salary, agriculture, business, profession etc. and it will be income for the financial year prior to the year of application.

**<sup>2</sup>8B. Reservation of vacancies for women.-** Reservation of vacancies for women candidates shall be 30% category wise in the direct recruitment, out of which one third shall be for widows and divorced women candidates in the ratio of 80:20. In the event of non-availability of eligible and suitable candidates, either in widow or in divorcee, in a particular year, the vacancies may first be filled by interchange, i.e. vacancies reserved for widows to the divorcees or vice versa. In the event of non-availability of sufficient widow and divorcee candidates, the unfilled vacancies, shall be filled by other women of the same category 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 of the category for which vacancy is reserved. The vacancy so reserved for women candidates shall not be carried forward to the subsequent year. The reservation for women including widows and divorcee women shall be treated as horizontal reservation, within the category, i.e. even the women selected in the general merit of the category shall first be adjusted against the women quota.

**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.

**<sup>3</sup>9. Determination of Vacancies.-** (1) (a) 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.

(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 clauses (a) above, to each such method shall be done maintaining the prescribed proportion for the overall number of posts 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.

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<sup>2</sup> Inserted vide Notification No. F. 1(12)DOP/A-II/89, dated 27.01.2017.

<sup>3</sup> Substituted for \*<sup>9</sup>. 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, the Appointing Authority shall adopt an appropriate continuous cyclic order to correspond with the proportion laid down in the Schedule by giving precedence to promotion quota.

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

(3) The Appointing Authority shall also determine the corresponding vacancies of earlier year, if any, year wise which were required to be filled in by promotion, if such vacancies 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.

\* Substituted for "9. Determination of Vacancies:- Subject to the provisions of these Rules, the government shall determine each year the number of vacancies anticipated during the following twelve months shall be determined before the expiry of twelve months of the last determination of such vacancies." vide Notification No. F. 5(3)DOP/A-II/77, dated 06.10.1979.



(2) The Appointing Authority shall also determine the vacancies of earlier years, year-wise 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.

<sup>1</sup>**“PART – III - A  
PROCEDURE FOR DIRECT RECRUITMENT**

**9A. Inviting of Application.-** Applications for direct recruitment to post in the service, shall be invited by the Commission or the Appointing Authority, as the case may be, 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 candidate who accepts the assignment on the initial post being offered to him/her shall be paid monthly fixed remuneration at the rate fixed by the Government, from time to time, during the period of probation and the pay band and grade 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 Commission or the Appointing Authority, as the case may be, if intimation of additional requirement not exceeding fifty per-cent of the advertised vacancies, is received by them/it before selection also select suitable persons to meet such additional requirement.

**9B. Frequency of direct recruitment.-** Direct recruitment to the posts specified in Schedule-I shall be held at least once in a year unless the Government decides that a direct recruitment for any of the post shall not be held in any particular year.

**9C. Form of Application.-** The application shall be made in the form approved by the Commission or the Appointing Authority, as the case may be, and obtainable from the Secretary to the Commission or from the office of Appointing Authority on payment of such fee, if any, as the Commission or the Appointing Authority may, from time to time, fix.

**9D. Application Fee.-** A candidate for direct recruitment to a post in the service shall pay to the Commission or the Appointing Authority, as the case may be, such fees as are fixed by them/it, from time to time, in such manner as may be indicated by them/it.

**9E. Scrutiny of Applications.-** The Commission or the Appointing Authority, as the case may be, shall scrutinize the applications received by them/it and require, as many candidates qualified for appointment under these rules are seem to them/it desirable, to appear before them/it for interview or Competitive examination or both, as the case may be:

Provided that decision of the Commission or the Appointing Authority, as the case may be, regarding the eligibility or otherwise of a candidate shall be final.

**9F. Recommendations.-** (1) The Commission or the Appointing Authority, as the case may be, shall prepare a list of the candidates whom they/it consider suitable for appointment to the post(s) concerned, arrange their names in the order of merit and forward the same to the Appointing Authority.

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<sup>1</sup> Inserted vide Notification No. F. 1(12)DOP/A-II/89, dated 27.01.2017.

Provided that the Commission or the Appointing Authority, as the case may be, to the extent of fifty percent of the advertised vacancies, keep names of suitable candidates in the reserved lists, category wise. Names of such candidates may, on requisition, be recommended in the order of merit to the Government or the Appointing Authority, as the case may be, within six months, from the date on which the original list is forwarded by the Commission to the Government or the Appointing Authority, as the case may be.

**9G. Disqualification for appointment.-** (1) No candidate who has more than one spouse living shall be eligible for appointment to the service unless the Government, after being satisfied that there are special grounds permissible under the personal law for doing so, exempt any candidate from operation of this rule.

(2) No candidate who is married to a person having already a spouse 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.

(3) No married candidate shall be eligible for appointment to the service if he/she had, at the time of marriage or at any time thereafter, 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 of the service who has more than two children on or after 01-06-2002:

Provided that,-

- (i) 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 had on 1<sup>st</sup> June, 2002, does not increase.
- (ii) where a candidate has only one child from earlier delivery but more than one child 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.
- (iii) the provisions of this sub-rule shall not be applicable to the appointment of a widow to be made under the provisions of the Rajasthan Compassionate Appointment of Dependents of Deceased Government Servants Rules, 1996.
- (iv) while counting the total number of children of a candidate, the child born from earlier delivery and having disability shall not be counted.
- (v) any candidate who performed remarriage which is not against any law and before such remarriage he is not disqualified for appointment under this sub-rule, he shall not be disqualified if any child is born out of single delivery from such remarriage.

**9H. Selection by the Appointing Authority.-** Subject to the provisions of rule 8, 8A and 8B, the Commission or the Appointing Authority, as the case may be, shall select candidates in the order of merit in the list prepared under rule 9 F:

Provided that inclusion of candidate's name in the list confers no right to appointment unless the Appointment Authority is satisfied after such inquiry as may be considered necessary that such candidate is suitable in all other respects for appointment to the post concerned.”

## PART – IV - Procedure for Recruitment by Promotion

**10. Eligibility and Criteria for Selection.-** (1) <sup>1</sup>“Selection for” higher post shall be made <sup>2</sup>“Deleted” strictly on the basis of merit and on the basis of seniority-cum-merit in proportion <sup>3</sup>“/special selection” of 1:2.

Provided that if the <sup>4</sup>“Departmental Promotion Committee” is satisfied that suitable persons are not available for <sup>5</sup>“Selection” by promotion strictly on the basis of merit in particular year, appointment by promotion on the basis of seniority-cum-merit may be made in the manner as specified in these rules.

(2) The person enumerated in column 04 of Schedule I shall be eligible, for promotion to posts specified in Column 02, subject to:-

- (i) Their possessing the minimum qualification and experience on the first day of April of the year of selection as specified in Column 05; and
- <sup>6</sup>(ii) “Deleted”

<sup>7</sup>**Explanation:-** In case direct recruitment to a post has been made earlier than regular selection for promotion <sup>3</sup>“/special selection” in particular year, such of the persons, who are or were eligible for appointment to that post by both the methods of recruitment and have been appointed by direct recruitment first, shall also be considered for promotion.

**11. Procedure for Appointment by promotion.-** (1) As soon as the Appointing Authority determines the number of vacancies under rule 9 and decides that a certain number of posts are required to be filled by promotion, it shall prepare a correct and complete list containing names up to <sup>8</sup>“five” times the number of vacancies out of senior most persons who are qualified under these rules for promotion on the basis of seniority-cum-merit or on the basis of merit of the class of posts concerned.

<sup>9</sup>(2) “Deleted”.

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<sup>1</sup> Substituted for "Appointment to" vide Notification No. F. 7(6)DOP/A-II/74, dated 15.10.1974.

<sup>2</sup> Deleted "by selection" vide Notification No. F. 7(6)DOP/A-II/74, dated 15.10.1974.

<sup>3</sup> Inserted vide Notification No. F. 1(35)Karmik/Ka-II/74, dated 03.08.1977.

<sup>4</sup> Substituted for “Appointing Authority” vide Notification No. F. 7(6)DOP/A-II/74, dated 15.10.1974.

<sup>5</sup> Substituted for "appointment" vide Notification No. F. 7(6)DOP/A-II/74, dated 15.10.1974.

<sup>6</sup> Deleted “(ii) their passing a Qualifying-cum-Departmental Examination to be conducted by Government in accordance with the syllabus mentioned in Schedule II.” vide Notification No. F. 9(1)Appts./A-II/67, dated 15.10.1979.

<sup>7</sup> Added vide Notification No. F. 7(1)DOP/A-II/75, dated 20.09.1975.

<sup>8</sup> Substituted for "Ten" vide Notification No. F. 7(3)DOP/A-II/75, dated 05.04.1975. (w.e.f. 08.04.1975)

<sup>9</sup> Deleted “(2) For the purpose of first promotion within the Service against the merit quota, only such of the persons shall be eligible for promotion who have put in at least six years. Service on the first day of April of the year of selection of the post from which promotion is to be made”

provided that the persons, who were promoted after regular selection by the Departmental Promotion Committee on a category of post on the basis of merit, shall be eligible for subsequent promotions to the next higher category of post on the basis of merit only when they have put in at least six years' service on the post to which they were last so promoted on the basis of merit; and” vide Notification No. F. 7(6)DOP/A-II/75, dated 30.04.1976.

(3) A Committee consisting of the Chairman of the Commission or a member thereof nominated by him as Chairman, Secretary to Government in-charge Excise Department <sup>4</sup>“or the Special Secretary concerned nominated by him” or his representative not below the rank of Deputy Secretary, Special Secretary to Government in the Department of Personnel or his representative not below the rank of Deputy Secretary and the Commissioner, shall consider the cases of all persons included in the list referred to in sub-rule (1) interviewing such of them as it may deem necessary and shall prepare separate lists containing names of suitable candidates to be promoted on the basis of seniority-cum-merit and merit respectively up to one and a half times the number of posts to be filled in on the respective basis.

<sup>5</sup>Provided that in case any 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.

(4) The names of the candidates selected on the basis of seniority - cum - merit and merit shall be arranged in their respective lists in order of seniority.

(5) The lists prepared by the committee shall be sent by them to the Appointing Authority.

(6) 03 posts of Assistant Excise Officers shall be reserved for appointment from amongst Assistant Prosecuting Inspectors who have put in 05 Years of Service and have passed the prescribed examination. The Committee constituted under sub-rule (3) above shall, on the basis of merit and seniority-cum-merit, select from amongst them as many suitable persons as the number of vacancies in the promotion quota are reserved under this rule. The Committee Shall arrange the names of persons selected in the order of seniority and shall submit the list to the Appointing Authority together with the Character Rolls, the Personal Files and other information considered relevant by the Committee relating to the persons selected as also of those superseded, if any.

(7) Where consultation with the Commission is necessary the lists prepared in accordance with sub-rule (3) shall be forwarded to the Commission by the Appointing Authority along with Confidential Rolls and Personal Files of all officers who name are indicated in the lists along with Confidential Rolls and Personal Files of all officers who are proposed to be superseded by the Committee.

(8) The Commission shall consider the lists prepared by the Committee along with other documents received from the Appointing Authority and unless it considers it necessary to make any change in the lists received from the Appointing Authority shall send the lists duly approved to the Appointing Authority along with the changes if any, proposed and the Appointing Authority, after taking into account the comments of the Commission, if any, may approve the lists finally with such modification, as may in his opinion, be just and proper.

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<sup>4</sup> Inserted vide Notification No. F. 7(6)DOP/A-II/74, dated 15.10.1974.

<sup>5</sup> Added vide Notification No. F. 7(5)DOP/A-II/78, dated 21.12.1978. (effective from date 07.03.1978)

<sup>1</sup>(8-A) The names of the persons included in the two lists finally approved by the Appointing Authority shall be re-arranged in order of seniority.

<sup>2</sup>(9) Appointment shall be made by the Appointing Authority taking persons out of the list finally approved under the preceding sub- rule in order in which they have been placed in the list, till such list is exhausted.

(10) For purpose of determining the number of Vacancies to be filled on either basis, the cyclic order shall be followed:-

- The first one by merit;
- The next two by seniority-cum-merit;
- The next one by merit;
- The next two by seniority-cum-merit;
- The cycle to be repeated.

**<sup>+</sup>11A. Criteria, Eligibility and Procedure for Promotion.-** (1) As soon as the Appointing Authority determines the number of vacancies under rule regarding

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<sup>1</sup> Inserted vide Notification No. F. 7(6)DOP/A-II/74, dated 15.10.1974.

<sup>2</sup> Substituted for "(9) Appointment shall be made by the Appointing Authority taking persons out of the list finally approved under the preceding sub-rule (7) in the order in which they have been placed in the list." vide Notification No. F. 7(6)DOP/A-II/74, dated 15.10.1974.

<sup>+</sup> Substituted for <sup>#</sup>"11-A. Revised Criteria, Eligibility and Procedure for Promotion to Junior, Senior and other posts encadred in the Service:- (1) As soon as the Appointing Authority determines the number of vacancies under rule regarding determination of vacancies of these rules and decides that a certain number of posts are required to be filled in by promotion, it shall, subject to provisions of sub-rule (9), prepare a correct 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.

<sup>\$</sup> (1A) No person shall be considered for promotion for 5 recruitment years from the date on which his promotion becomes due, if he/she has more than two children on or after 1st June, 2002.

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

Provided further that where a Government Servant has only one child from the 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"

<sup>\$</sup> Added vide Notification No. F. 7(1)DOP/A-II/95, dated 20.06.2001 and vide corrigendum dated 21.11.2015.

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

<sup>&</sup> (3) No person shall be considered for first promotion in the Service unless he is substantively appointed and confirmed on 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.

<sup>@</sup> Provided that for first promotion in the Service if number of persons substantively appointed and confirmed on the lowest post, equal to the 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 appointed by direct recruitment first, shall also be considered for promotion.

<sup>@</sup> Added vide Notification No. F. 7(8)DOP/A-II/78, dated 13.05.1980.

<sup>&</sup> Substituted for "No person shall be considered for promotion unless he is substantively appointed and confirmed. If no person substantive in the next lower post is eligible for promotion, persons who have been appointed on such posts on officiating basis after selection in accordance with one of the methods of recruitment or under any Service Rules promulgated under proviso to Article 309 of the Constitution of India, may be considered for promotion on officiating basis only in the order of seniority in which they would have, had they been substantive on the said lower post." vide Notification No. F. 7(8)DOP/A-II/78, dated 20.07.1979.

determination of vacancies of these rules and decides that a certain number of posts are required to be filled in by promotion, it shall subject to the provisions of sub-rule (6), prepare a correct 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.

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

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

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

<sup>0</sup> "Deleted"

<sup>0</sup> Deleted "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 qualification and other conditions for promotion prescribed elsewhere in these rules, and are found otherwise suitable for promotion on the basis of seniority-cum-merit" vide Notification No. F. 7(3)DOP/A-II/95, dated 18.02.1998.

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

Provided that if the Committee is satisfied that suitable persons are not available for selection 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 these rules.

<sup>4</sup> Explanation:- If in a service, in any category of post, number of posts available for promotion is an odd 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 cycle to be repeated.

<sup>4</sup> Added vide Notification No. F. 7(10)DOP/A-II/77, dated 17.08.1978.

<sup>3</sup> (7) Selection for promotion to the highest post/posts in the State Service shall always be made on the basis of merit alone; Provided that-

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

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

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

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

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

<sup>!</sup> 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.

<sup>!</sup> Added vide Notification No. F. 7(10)DOP/A-II/77, dated 31.03.1980

<sup>3</sup> Substituted for "(7) Selection for promotion to the highest post or highest categories of posts in the State Services shall always be made on the basis of merit alone." vide Notification No. F. 7(10)DOP/A-2/77 Dated 12.05.1978.

<sup>π</sup> (8) Deleted

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

<sup>π</sup> 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 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 15.07.1992.

<sup>@</sup> (9) The zone of consideration of persons eligible for promotion shall be as under:-

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

(i) <u>Number of Vacancies -</u>	<u>Number of eligible persons to be considered.</u>
(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 eligible 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 cases may be, are not available within the zone of consideration specified above, the zone of consideration may be extended to <sup>Z</sup> “seven” 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 up to 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 the 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 for promotion first considered and if no suitable persons is available for promotion on the basis of merit in the higher pay scale than 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.	
Z	Substituted for "five" vide Notification No. F. 7(1)DOP/A-II/81, dated 07.04.2003.
@	Substituted for “(9) The zone of consideration of persons eligible for promotion shall be as under:-
8	<sup>8</sup> (i) the zone of eligibility for promotion shall be five times the number of vacancy to be filled on the basis of seniority-cum-merit or merit or by both, as the case may be.
	(ii) For the highest post in <sup>£</sup> “State Service”;
	(a) if the promotion is from one category of post, eligible persons up to five in number shall be consider for promotion,
	(b) if promotion is from different categories of posts in a same pay scale, eligible person up to two in number from each category of posts in the same pay scale shall be consider for promotion;
	(c) if promotion is from different category of posts carrying different pay scale, eligible person in the higher pay scale shall be consider 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 scale shall be consider for promotion and so and on so forth. The zone of consideration for eligibility in the case shall be limited to five senior most eligible persons in all.” vide Notification No. F. 7(1)DOP/A-II/81, dated 06.07.1983 and effect from 1.04.1984 vide even notification dated 10.05.1984.
8	Substituted for “Clause (i) of rule 9 was
	(i) Number of Vacancies
	(a) 1 to 5 vacancies
	(b) 6 to 10 vacancies
	(c) Above 10 vacancies
	Number of eligible persons to be considered
	4 times of the number of vacancies.
	3 times, but at least 20 eligible persons to be considered.
	2 times, but at least 30 eligible persons to be considered”
	vide Notification No. F. 7(1)DOP/A-II/81 dated 29.01.1981.
£	Inserted vide Notification No. F. 7(10)DOP/A-II/77, dated 26.09.1978.
	(10) Except as otherwise expressly provided in this rule, the conditions of eligibility for promotion, constitution of the Committee and procedure for selection shall be the same as prescribed elsewhere in these rules.
	<sup>5</sup> (11) (a) The Committee shall consider the cases of all the senior most persons who are eligible and qualified for promotion to the class of posts concerned under these rules and shall prepare a list containing names of the 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 on 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 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 subsequent year and that such list shall remain in force till the end of the last day of the next year or till the Departmental Promotion Committee meets, whichever is earlier.

(3) No person shall be considered for first promotion in the service unless he is regularly selected on the post from which promotion is to be made in accordance with one of the methods of recruitment prescribed under the provisions of these rules.

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(c) Such lists 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.

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

5 Substituted for "(11) The Committee shall consider the case 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 persons if the number of vacancies is one only, who may be considered suitable to fill temporary or permanent vacancies, which may occur till the next meeting of the Committee, on a temporary or officiating basis and the list so prepared shall be reviewed and revised every year and shall remain in force until it is so reviewed and revised. The lists so prepared on the basis of merit and on the basis of seniority-cum-merit shall be arranged in the order of seniority on the category of post from which selection is to be made. Such lists shall be sent to the concerned Appointing Authority together with the Annual Confidential Rolls and Personal Files of all the candidates included in them as also those not-selected, if any." vide Notification No. F. 7(2)DOP/A-II/81, dated 19.02.1982.(w.e.f. 1.04.1981)

9 Substituted for "Explanation:- For the purpose of selection on the basis of merit the list of officers graded as 'Outstanding' and 'Very-Good' shall be classified in the First category in the order of seniority, the officers graded as 'Good' shall be classified in the Second category in the order of seniority and the officers graded as 'Average' and Not-Selected' Shall be classified in the Third category. The officers graded and classified in the Second category list shall be placed below the officers graded and classified in the first category list and such officers shall be appointed from this category only if the officers graded and classified in the first category list is exhausted otherwise they shall not be appointed to the Service by promotion. The Officers graded and classified in the third category list shall not be considered for appointment by promotion." vide Notification No. F. 7(10)DOP/A-II/77, dated 11.04.1979.

# Inserted vide Notification No. F. 11(1)DOP/A-II/77, dated 20.03.1980.

& (11-A) 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 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.

& Substituted for <sup>x</sup> "(11A) If in any subsequent year, after promulgation of these rules, vacancies relating to any earlier year are determined under sub-rule (3) of rule mentioned in Column 3 of the Schedule which are required to be filled by promotion, the Departmental Promotion Committee shall consider the case of all such persons 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 18.08.1982.

x Added vide Notification No. F. 5(3)DOP/A-II/77, dated 06.10.1979.

7 (11B) the Government or the Appointing Authority may order for review of the proceeding of the D.P.C. held earlier on account of some mistake or error apparent on the basis of record, on account of a factual error subsequently effecting the decision of the D.P.C. or for any other sufficient reason e.g. change the seniority wrong determination or vacancies, judgment/direction of any court or tribunal, or were adverse entries in the confidential reports of an individual are expunged or toned down or a punishment in 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 obtain before holding the meeting of the review D.P.C.

7 Added vide Notification No. F. 7(1)DOP/A-II/86, dated 14.06.1988.

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

(13) The Commission shall consider the lists prepared by the Committee along with other relevant documents received from the Appointing Authority, and, unless any change is considered necessary, shall approve the lists. In case the Commission considers 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.



**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 appointed by direct recruitment first, shall also be considered for promotion.

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

(15) The Government may issue instructions for provisionally dealing with promotions, appointments or other ancillary matters in an equitable and fair manner of persons who may be under suspension, or against whom departmental proceeding is under progress, at the time promotions are considered to a post to which they are eligible or would have been eligible but for such suspension or pendency of such enquiry or proceedings.

(16) The provisions of this rule shall have effect notwithstanding anything to the contrary contained in any provision of these rules." vide Notification No. F. 7(5)DOP/A-II/2002 dated 23.07.2003.

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Substituted for "11A. Revised Criteria, Eligibility and Procedure for Promotion to Junior, Senior and other posts encadred in the Service :- (1) Selection for promotion in the regular line of promotion from the post not included in the Service to the lowest post or category of post in the Service shall be made strictly on the basis of merit.

(2) Subject to the provisions of sub-rule (4), selection for promotion from the lowest post or category of post in the Service to the next higher post or category of post in the Service and for all posts up to scale no 11, sectioned under the Rajasthan Civil Services (New Pay Scales) Rules, 1969 or equivalent scales as may be declared by the Government from time to time, shall be made solely on the basis of seniority-cum-merit from amongst the persons who have passed the qualifying examinations, 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 the post from which selection is to be made.

Provided further that in respect of posts included in the State Service in which the method of recruitment to the lowest post provides for appointment by promotion, and where such posts are required to be filled on the basis of seniority-cum-merit under this sub-rule, the Committee may select for promotion such persons of outstanding merit available within the zone of consideration, who may not be selected on the basis of seniority-cum-merit, to the extent of one-fourth of the number of vacancies to be filled in by promotion and if the no of vacancies exceeds one but is less than four, the Committee may select one person on the basis of merit alone and if the vacancies are more than four and the calculation of the number of vacancies to be filled by merit alone according to the aforesaid basis results in a fraction, the Committee may select one more person against a fraction of half or more. On being so selected, for the purpose of determination of seniority, such persons shall be deemed to have been selected on the basis of seniority-cum-merit.

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

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

(5) The persons having been selected and appointed by promotion to a post or a 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 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 non-availability of the persons, equal to the number of vacancies to be filled in, eligible for the promotion in the category of the 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 eligible and suitable for promotion on the basis of merit alone.

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

(6) The zone of eligibility for promotion shall be five times the number of vacancies to be filled in on the basis of seniority-cum-merit or merit, as the case may be:

Provided that if case of non-availability of sufficient number of suitable persons for selection on the basis of merit, the Committee may at its discretion consider persons of outstanding merit outside the zone of eligibility but falling within six times of number of vacancies to be filled in on the basis of merit.

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

(8) The Committee shall consider the cases of all senior-most persons who are eligible for and qualified for promotion to the class of the posts concerned under these rules, interviewing such of them as it may deem necessary, and shall prepare a list containing names of the suitable persons equal to the no of existing vacancies and the vacancies anticipated to occur during the next twelve months after the determination of the vacancies. The Committee shall also prepare a separate list containing names of persons, 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 list so prepared on the basis of merit shall be arranged in order of preference and the lists prepared on the basis of seniority-cum-merit shall be arranged in order of seniority on the category of post from which selection has been made. Such lists shall be sent to the concerned Appointing Authority together with the Annual Confidential Rolls and Personal Files of the all the candidates included in them as also of those not selected, if any.

Explanation:- The list of preference shall classified the officers in order as, 'outstanding', 'very good' and 'good' on the basis of merit. In each class the officers shall maintain their inter se seniority of the next below grade.

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

¥“(4) The person who had not been considered for promotion up to the year 2019-2020 because he/she had more than two children on or after 1st June 2002 shall be considered for promotion from the date on which his/her promotion was due and on such promotion his/her pay shall be re-fixed at the pay which he/she would have drawn but no arrear shall be paid and if any person who has more than two children on or after 1st June, 2002 and his promotion becomes due in the year 2020-2021 or thereafter shall be considered for promotion from the date on which his/her promotion becomes due and his/her pay shall be fixed for the promotional post, but he/she shall be entitled for annual increment notionally for three subsequent years and after such three years he/she shall be allowed actual benefits of such increments, however no arrears shall be paid for such notional increments. There shall be no consequential effect on subsequent promotions of the person promoted as per provisions of this sub-rule. The person already promoted shall not be reverted due to implementation of this sub-rule.”

Provided that, -

- (i) The persons having more than two children shall not be deemed to be disqualified for promotion so long as the number of children he/she has on 1st June, 2002 does not increase.
- (ii) Where a Government servant has only one child from the 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.
- <sup>β</sup>(iii) while counting the total number of children of a candidate, the child born from earlier delivery and having disability shall not be counted.(w.e.f.01.06.2002)
- <sup>α</sup>(iv) any person who performed remarriage which is not against any law and before such remarriage he is not disqualified for promotion under this sub-rule, he shall not be deemed to be disqualified with effect from 01.06.2002, if any child is born out of single delivery from such remarriage.

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(10) The Commission shall consider the lists prepared by the Committee along with other relevant documents received from the Appointing Authority, and, unless any change is considered necessary, shall approve the lists. In case the Commission consider it necessary to make any change in the lists received from the Appointing Authority, it shall inform the Appointing Authority of the changes proposed by it. After taking into the 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 should be disturbed only with the approval of the Government.

(11) Appointments shall be made by the Appointing Authority taking persons out of the list finally approved under the preceding sub-rule (10) in the order in which they have been placed in the lists, till such lists are exhausted or reviewed and revised, as the case may be.

(12) The provisions of this rule shall have effect notwithstanding anything to the contrary contained in any provisions of these rules.” vide Notification No. F. 7(10)DOP/A-II/77, dated 07.03.1978.

¥ Substituted for “(4) No person shall be considered for promotion for <sup>6</sup>“three recruitment years” from the date on which his promotion becomes due, if he/she has more than two children on or after 1st June, 2002.” vide Notification No. F. 7(1)DOP/A-II/95 Pt. dated 16.03.2023.

<sup>6</sup> Substituted for "five recruitment years" vide Notification No. F. 7(1)DOP/A-II/95 Pt.-II, dated 19.09.2017.

<sup>β</sup> Substituted for <sup>b</sup>“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.” vide Notification No. F. 7(1)DOP/A-II/95/Pt.-III, dated 03.07.2019. (w.e.f. 01.06.2002)

<sup>b</sup> Added vide Notification No. F. 7(1)DOP/A-11/95/Pt.-II, dated 24.02.2011.

<sup>α</sup> Substituted for <sup>%</sup>“Provided also that any person who performed remarriage which is not against any law and before such remarriage he is not disqualified for promotion under this sub-rule, he shall not be disqualified if any child is born out of single delivery from such remarriage.” vide Notification No. F. 7(1)DOP/A-II/95/Pt.-II, dated: 18.08.2020.

<sup>%</sup> Added vide Notification No. F. 7(1)DOP/A-II/95 Pt. II, dated 20.11.2015.

(5) Selection for promotion on the post included in the service shall be made on the basis of seniority-cum-merit.

Provided that promotions on the highest post in the state service if it is at least third promotion shall be made on the basis of merit alone.

Provided further that if the committee is satisfied that suitable persons are not available for selection by promotion to the highest post(s) strictly on the basis of merit in a particular year, selection by promotion to the highest post(s) on the basis of seniority cum merit may be made in the same manner as specified in these rules.

(6) 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 eligible 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 available within the zone of consideration specified above, the zone of consideration may be extended up to seven times the number of vacancies and the candidates belonging to the Scheduled Castes or the Scheduled Tribes, as the case may (and not any other) coming within the extended zone of consideration shall also be considered against the vacancies reserved for them.
- (iv) For any post in the Service:
- (a) If Promotion is from more than one categories of posts in the pay scale, eligible persons up to two in number from each category of posts in the same pay scale shall be considered for promotion;
- (b) If promotion is from more than one 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 or seniority-cum- merit, as the case may be, in the higher pay scale than 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.

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

(8) The committee shall consider the cases of all the senior most persons who are eligible and qualified for promotion to the class of post(s) concerned under these rules and shall prepare a list containing names of the persons found suitable on the basis of seniority-cum-merit 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 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 of the category of post(s) from which selection is made.

(9) The committee may also prepare a list on the basis of seniority-cum-merit or on the basis of merit, as the case may be, as per the criteria for promotion laid down in these rules, containing names of persons not exceeding the number of persons selected in the list prepared under sub-rule (8) above to fill temporary or permanent vacancies, which may occur subsequently. The list so prepared on the basis of seniority-cum-merit or on the basis of merit shall be arranged in the order of seniority in the category of posts from which selection shall be made. Such a list shall be reviewed and revised by the committee that meets in the subsequent year and that such list shall remain in force till the end of the last day of the year for which the meeting of the committee is held.

(10) Lists prepared under sub-rule (8) and (9) shall be sent to the Appointing Authority together with Annual Confidential Reports/Annual Performance Appraisal Reports and other Service Records of all the candidates included in the Lists as also of those not selected, if any.

**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 of at least four out of seven years preceding the year for which the meeting of the committee is held.

(11) If in any subsequent year, after promulgation of these rules vacancies relating to any earlier year are determined under these rules which were required to be filled in by promotion, the 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 meeting of the committee is held and such promotion 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.

(12) The Government or the Appointing Authority may order for the review of the proceedings of the committee 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 committee 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 committee.

(13) Where consultation with the Commission is necessary the lists prepared by the Committee shall be forwarded to the Commission by the Appointing Authority along-with the Personal Files and Annual Confidential Roles/Annual Performance Appraisal Reports of all the persons whose names have been considered by the Committee.

(14) The Commission shall consider the lists prepared by the committee along-with other relevant documents received from the Appointing Authority and unless any change is considered necessary, shall approve the lists, In case the Commission considers 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 approval of the Government.

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

(16) The Government may issue instructions for provisionally dealing with the 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.

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

**<sup>1</sup>11-AA. Restriction of promotion of persons foregoing promotions.-** 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, forgoes such an appointment through his written request and if the concerned Appointing Authority accepts his/her request, the person concerned shall be debarred from consideration for promotion (both on the basis or urgent, temporary appointment or on regular basis) for subsequent two recruitment years for which the Departmental Promotion Committee is held and the name of such person who forgoes promotion shall not be included in the seniority-cum-eligibility list to be placed before the departmental promotion committee for subsequent two recruitment years.

## **PART – V - Appointment, Seniority, Probation and Confirmation**

**12. Appointments to Junior Posts.-** Subject to the provisions of rule 8, appointments to junior posts shall be made by government on the basis of merit, and seniority-cum-merit accordance with the procedure laid down in rule 11.

**<sup>2</sup>13. Appointments to Senior Posts.-** Subject to the provisions of rule 8, appointments to senior posts encadred in the provision shall be made by the

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<sup>1</sup> Substituted for <sup>z</sup> “11AA. Restriction of promotion of parsons foregoing promotions :- 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 recommendations of the Departmental Promotion Committee, forgoes 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 recommendations of the Departmental Promotion Committee.” vide Notification No. F. 7(1)DOP/A-II/98, dated 05.09.1998.

<sup>z</sup> Added vide Notification No. F. 15(16)DOP/A-II/80, dated 30.11.1981.

<sup>2</sup> Substituted for “13. Appointments to Senior Posts:- Subject to the provisions of rule 8, appointments to senior posts to extent of 33% of the total post not encadred in Rajasthan Administrative Service shall be made by the Government on the basis of merit and seniority-cum-merit in accordance with the procedure laid down in rule 11:

Provided that Government May appoint to senior posts Officers on deputation from the Indian Administrative Service, the Rajasthan Administrative Service, and the Rajasthan Excise (Preventive Officers) Service for a period not exceeding 2 years.” vide Notification No. F. 11(69)FD/EX/75, dated 25.02.1977.

Government on the basis of merit and in accordance with the procedure laid down in rule 11A. Appointments to senior posts not encadred in the Service may be made by the Government from amongst the members of the Indian Administrative Service, Rajasthan Administrative Service or the Rajasthan Excise (Preventive Officers) Service in deputation.

<sup>1</sup>**13A. Appointment to Screened persons.-** Appointment to late in the service shall be made by the Appointing authority from amongst the persons adjudged Suitable under rules 6 of these rules.

**14. Urgent Temporary appointment.-** (1) A vacancy in the service which cannot be filled in immediately by promotion under the rules may be filled in by the Appointing Authority appointing in an Officiating capacity thereto an officer eligible for appointment to the post by promotion 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 commission for concurrence, where such concurrence is necessary, and shall be terminated immediately on its refusal to concur.

<sup>2</sup>(2) In the event of non-availability of suitable persons, fulfilling the requirements of eligibility for promotion, Government may, notwithstanding the condition of eligibility for promotion required under sub-rule (1) above, lay down general instructions for grant of permission to fill the vacancies on urgent temporary basis subject to such conditions and restriction regarding pay and other allowances as it may direct. Such appointments shall however, be subject to concurrence of the commission as required under the said sub rule.

<sup>3</sup>**15. 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:

(1) That the seniority inter se of the persons appointed to the Service before the commencement of these rules and/or in the process of integration of the Services of the pre-organization State of Rajasthan or the services of the new States of Rajasthan established by the State Re-organization Act, 1958, shall be determined, modified or altered by the Appointing Authority, on an ad-hoc basis;

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<sup>1</sup> Inserted vide Notification No. F. 7(1)DOP/A-II/ 75, dated 23.09.1975.

<sup>2</sup> Inserted vide Notification No. F. 7(7)DOP/A-II/ 75, dated 31.10.1975.

<sup>3</sup> Substituted for #<sup>15</sup>. Seniority.- Seniority of persons appointed to the lowest post of the Service or lowest categories of posts in each of the Group/Section of the Service, as the case may be, shall be determined from the date of confirmation of such persons to the said post but in respect of persons appointed by promotion to other higher posts in the Service or other higher categories of posts in each of the Group/Section in the Service, as the case may be, shall be determined from the date of their regular selection to such posts.” vide Notification No. F. 7(1)DOP/A-II/96, dated 10.10.2002.

# Substituted for @<sup>15</sup>. Seniority.- Seniority in the Service shall be determined in each category of the Service by the year of substantive appointment.” vide Notification No. F. 7(8)DOP/A-II/78 dated 20.07.1979.

@ Substituted for "15. Seniority.- Seniority in each category of the Service shall be determined by the year of substantive appointment to a post in a particular category." vide Notification No. F. 7(6)DOP/A-II/73, dated 15.11.1976.

(2) that the seniority inter se of the person adjudged suitable under sub-rule (3) of rule 6 shall be determined by the Appointing Authority on the recommendations of the Committee referred to in rule 11 on an ad-hoc basis;

<sup>2</sup>(3) 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.

<sup>3</sup>(4) Deleted.

(5) that the seniority inter se of persons appointed by to post in a particular category by promotion shall follow the order in which they have been placed in the lists prepared under rule 11, and

(6) that if two or more persons are appointed as Assistant Excise Officers in the same years from Excise inspectors and prosecuting Inspectors shall rank senior to the Prosecuting Inspectors.

<sup>4</sup>(7) Deleted.

<sup>5</sup>(8) Deleted.

<sup>6</sup>(9) Withdrawn

<sup>7</sup>(10) Provided that reservation for Scheduled Castes and Scheduled Tribes Employees with consequential seniority, shall continue till the roster points are exhausted; and adequacy of promotion is achieve.

Once the roster points are complete the theory of replacement shall thereafter be exercise in promotion whenever vacancies earmarked for Scheduled Castes/Scheduled Tribes Employees occur.

If on the application of these provisions Scheduled Castes/Scheduled Tribes Employees who had been promoted earlier and are found in excess of the adequacy level, shall not be reverted and shall continue on ad-hoc basis and also any employee who have been promoted in pursuance to Notification No. F. 7(1)DOP/A-II/96 dated 01-04-1997 shall not be reverted.

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<sup>2</sup> Substituted for "(3) that the seniority inter se of persons appointed by promotion to a particular class of posts on the same dated shall be the same as in the next below grade, except in cases of continued officiation of higher posts when it shall be in accordance with the length of such continued officiation, provided that such officiation was not ad hoc or fortuitous." vide Notification No. F. 7(10)DOP/A-II/77, dated 17.06.1978.

<sup>3</sup> Deleted "(4) that the persons so appointed during the same year, the persons appointed on the basis of seniority-cum-merit shall rank senior to those appointed on the basis of merit;" vide Notification No. F. 7(6)DOP/A-II/75-II, dated 31.10.1975.

<sup>4</sup> Deleted "(7) that the seniority inter se of persons selected as a result of one and the same selection and appointed on the basis of merit alone shall be in the same order in which their names appear in the select list, irrespective of the period of continuous officiation." vide Notification No. F. 7(10)DOP/A-II/77, dated 17.06.1978.

<sup>5</sup> Deleted <sup>¥</sup>"That if a candidate belonging to the Scheduled Caste/Scheduled Tribe is promoted to an immediate higher post/grade against a reserved vacancy earlier than his senior general/OBC candidate who is promoted later to the said immediate higher post/grade, the general/OBC candidates will regain his seniority over such earlier promoted candidate of the Schedule Caste/Schedule Tribe in the immediate higher post /grade." vide Notification No. F. 7(1)DOP/A-II/2002, dated 28.12.2002. (w.e.f. 1.4.1997)

<sup>¥</sup> Added vide Notification No. F. 7(1)DOP/A-II/96, dated 01.04.1997.

<sup>6</sup> Withdrawn <sup>&</sup>(Notification No. F. 7(1) DOP/A-II/2002 dated 28.12.2002) and <sup>#</sup>(F. 7(3)DOP/A-II/2008 dated 25.04.2008) from the date they were issued" vide Notification No. F. 7(3)DOP/A-II/2008 dated 11.09.2011.

<sup>#</sup> Deleted <sup>&</sup>"Provided that a candidate who has got the benefit of proviso inserted vide Notification No. F.7(1)DOP/A-II/96 Dated 01.04.1997 on promotion to an immediate higher post shall not be reverted and his seniority shall remain unaffected. This proviso is subject to final decision of the Hon'ble Supreme Court of India Writ Petition (Civil) No. 234/2002 All India Equality Forum v/s Union of India and Others." vide Notification No. F. 7(3)DOP/A-II/2008, dated 25.04.2008. (w.e.f. 28.12.2002)

<sup>&</sup> Added vide Notification No. F. 7(1)DOP/A-II/2002, dated 28.12.2002.

<sup>7</sup> Added vide Notification No. F. 7(1)DOP/A-II/96, dated 11.09.2011.

**Explanation:-** Adequate representation means 16% representation of the Scheduled Castes and 12% representation of the Scheduled Tribes in accordance with the roster point.

**16. Period of Probation.-** <sup>2</sup>“(1) All persons appointed to the Service by direct recruitment against a substantive vacancy shall be placed on probation for a period of two years and those appointed to the Service by promotion/Special selection 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 <sup>\*</sup>“/special selection” 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 trainee may be required to pass such Departmental Examination and to undergo such training as the Government may, from time to time, specify.”

**Explanation-** In case of a person who dies or is due to retire on attaining the age of superannuation the period of probation shall be reduced so as to end one day earlier on the date immediately preceding the date of his death or retirement from Government Service. The condition of passing the Departmental Examination in the rule regarding confirmation shall be deemed to have been waived in case of death or retirement.

**17. (a)** Notwithstanding anything contained in the rule if no order of confirmation is issued by the Appointing Authority within a period of six months,

<sup>1</sup> Substituted for "16. Probation- (1) All person appointed to the Service shall be on probation for a period of one year: by promotion officiated temporarily on a post encadred in the Service, may be permitted by the Appointing Authority to count such officiating, temporary service towards the period of probation up to a maximum of six months; provided further 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 may be required to pass such departmental examination and to and ergo such training as the government may, from time to time specify." vide Notification No. F. 1(35)Karmik/Ka-II/74, dated 04.05.1977.

<sup>2</sup> Substituted for "(1) Every person appointed against a substantive vacancy in the service by direct recruitment shall be placed on probation for a period of two years and those appointed by promotion <sup>\*</sup>“/special selection” to any post against such a vacancy shall be on probation for a period of one year." vide Notification No. F. 1(35)DOP/A-II/74, dated 09.04.1979.

<sup>\*</sup> Inserted vide Notification No. F. 1(35)Karmik/ka-II/74, dated 03.08.1977.

<sup>3</sup> Substituted for "17 Persons regularly recruited against temporary vacancy not to be placed on probation.- Notwithstanding anything contained in rule 16 on a permanent vacancy being available a person who has been regularly recruited against a temporary vacancy and has put in more than one year's Service after such regular recruitment shall be deemed to have completed the period of probation but he shall be confirmed only after he has fulfilled other conditions of confirmation as laid down in that rule.

Explanation.- In case of a person who dies or is due to retire on attaining the age of superannuation, the period of probation shall be reduced one day earlier on the dated immediately preceding the date of his death or retirement from Government service. The condition of passing the Departmental Examination in rule regarding confirmation shall be deemed to have been waived in case of death or retirement." vide Notification No. F. 7(7)DOP/A-II/74, dated 28.12.1974.



an employee appointed on temporary or officiating basis who has, after the date of his regular recruitment by, either method of recruitment completed a period of two years' service, or less in the- case of those appointed by promotion where the period of probation, prescribed is less, on the post of 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 or under the Rajasthan Civil Service Departmental Examination Rules, 1959, and any other Rules or by one year, whichever is longer. If the employee still fails to fulfill the prescribed conditions or fails to give Satisfaction, he will be liable to be discharged from such post in the same manner as a probationer or reverted to his substantive or lower 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.

(b) The reasons for not confirming an employee referred to in the second proviso to clause (a) shall in the case of a non-gazetted employee, be also immediately, recorded by the Appointing Authority in his Service Book and C.R. file and in the case of Gazetted Office 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:-** (i) Regular recruitment for the purpose of this rule shall mean appointment after either of the methods of recruitment or on initial constitution of service in accordance with any of the Service Rules promulgated under proviso to Article 309 of the Constitution of India or for which no Service Rules exists, if the posts are within the purview of Rajasthan Public Service Commission recruitment in consultation with them but it shall not include an urgent temporary appointment, ad-hoc appointment or officiating promotion against temporary or lien vacancies which are liable to review revision from year to year. In case where the Service Rules specifically permit appointment by transfer, such appointment shall be treated regular recruitment if the appointment to the post from which the official was transferred was after regular recruitment. Persons who have been made eligible for substantive appointment to a post under the rules shall be treated as having been regularly recruited.

(ii) Persons who hold lien 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 favor of confirmation under this rule and their lien on the previous post shall cease.

**<sup>1</sup>18. 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 revert him/her to the post on which he/she is regularly selected immediately preceding his/her appointment as probationer trainee or in other cases may discharge or 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.

**19. Confirmation in certain cases.-**<sup>2</sup>“(1) Notwithstanding anything to the contrary contained in the preceding rule a person appointed to a post in the service by direct recruitment as a probationer trainee under these rules has not been confirmed within six months after satisfactory completion of probation for a period of two years shall be entitled to be treated as confirmed in accordance with his/her seniority 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/her deputation or training;
- (ii) he/she fulfils conditions as are prescribed under rule relating to confirmation subject to quota prescribed under these rules; and
- (iii) he has been appointed against a substantive vacancy.”

<sup>1</sup> Substituted for \*<sup>1</sup>18. If it appears to the Appointing Authority, at any time, during or at the end of the period of probation, that a member of the Service has not made sufficient use of his opportunities or that he has failed to give satisfaction, the Appointing Authority may revert him to the post held substantively by him immediately preceding his appointment provided he holds a lien thereon or in other cases may discharge or terminate him from service:  
Provided that the Appointing Authority may, if it so thinks fit in any case or class of cases, extend the period of probation of any member of Service by a specified period not exceeding two years in case of person appointed to a post in the Service by direct recruitment and one year in the case of persons appointed by promotion<sup>+</sup>/Special Selection to such post:

Provided further that the Appointing Authority may, if it so think 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 proceeding 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.” vide Notification No. F. 7(2)DOP/A-II/2005, dated 13.06.2008.

\* Substituted for "18. Unsatisfactory progress during probation:- (1) If it appears to the Appointing Authority, at any time, during or at the end of the period of probation, that a member of the Service has not made sufficient use of his opportunities or that he has failed to give satisfaction, the Appointing Authority may revert him to the post held substantively by him immediately preceding his appointment provided he holds a lien thereon or in other cases may discharge him from service:

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

(2) A probationer reverted during or at the end of the period of probation under sub-rule (1) Shall not be entitled to any compensation.” vide Notification No. F. 1(35)Karmik/Ka-II/74, dated 04.05.1977.

<sup>+</sup> Inserted vide Notification No. F. 1(35)Karmik/Ka-II/74, dated 03.08.1977.

<sup>2</sup> Substituted for A person placed on probation shall be confirmed in his appointment at the end of his period of probation if:-

- (a) he has passed the department Examination and has successfully undergone such training as Government may from time to time specify;
- (b) he has passed a departmental test of proficiency in Hindi and know one of the Rajasthani dialects; and
- (c) Government is satisfied that his integrity is unquestionable and that he is otherwise fit for confirmation.” vide Notification No. F. 7(1)DOP/A-II/2020, dated 04.02.2022.

## PART – VI - Pay

**20. Scale of Pay.-** The scale of monthly Pay of a person appointed to the post in service, shall be such as may be admissible under the rule 23 or as may be sanctioned by Government from time to time.

### <sup>1</sup>21. Deleted

**22. Criteria for crossing efficiency bar.-** No member of the Service shall be allowed to cross an efficiency bar unless in the opinion of government he has worked satisfactorily and his integrity is unquestionable.

**23. Regulations of Pay, Leave, Allowance, Pensions 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:-

1. The Rajasthan Travelling Allowance Rules, 1971 as amended from time to time.
2. The Rajasthan Civil Services (Unification of Pay Scales) Rules, 1950 as amended from time to time.
3. The Rajasthan Civil Services (Renationalisation 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 Service Rules, 1951 as amended from time to time.
7. The Rajasthan Civil Services (New Pay Scales) Rules, 1969 as amended from time to time.
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, and for the time being in force.

**24. Removal of Doubts.-** If any doubt arises relating to the application, interpretation and scope of these rules, it shall be referred to Government in the Department of Personnel whose decision thereon shall be final.

**25. Repeal and Saving.-** All rules and orders in relation to matters covered by these rules are hereby repealed:

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

**<sup>2</sup>26. 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 persons, it may with the concurrence of the Department of Personnel and Administrative Reforms and in

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<sup>1</sup> Deleted "21. Increments during probation:- A person placed on probation shall draw increments in the scale of pay admissible to him in accordance with the provisions of the Rajasthan Service Rules, 1951." vide Notification No. F. 7(2)DOP/A-II/2005, dated 20.01.2006.

<sup>2</sup> Added vide Notification No. F. 11(2)DOP/A-II/75, dated 27.12.1978.

consultation with the Commission by orders dispense with or relax the relevant provisions of these Rules to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner, provided that such relaxation shall not be less favorable than the provisions already contained in these Rules. Such cases of relaxation shall be referred to the Rajasthan Public Service Commission by the <sup>1</sup>“Administrative Department concerned”.

<sup>2</sup>Provided that relaxation in the prescribed period of service or experience under this rule shall only be granted to the extent of 1/3 period of the service or experience prescribed for promotion to any post before holding the meeting of the Departmental Promotion Committee.

<sup>3</sup>Provided further that where the prescribed period of experience for promotion to any post is less than 6 years, a committee headed by the Chief Secretary comprising of Principal Secretary Finance, Principal Secretary/Secretary Department of Personnel and Principal Secretary/Secretary of the Administrative Department, may consider the cases where forty five per-cent or more posts are vacant. The committee is empowered to suggest the quantum of relaxation in experience which may be granted in such cases to address the issue of large number of vacancies in promotional posts subject to condition that such relaxation in experience shall not be more than two years.

<sup>4</sup>Provided also that in case vacant post cannot be filled by promotion for want of prescribed experience in the lower post or experience of service or both, as the case may be, for the year 2023-24, a relaxation up to two years in experience of the lower post or experience of service or both, as the case may be, shall be given to fill vacant post. However where the experience prescribed for promotion is two years, relaxation shall be given for one year only. No one shall be promoted during the period of probation.

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<sup>1</sup> Substituted for "Department of Personnel and Administrative Reforms (Department of Personnel-A-Group-II)" vide Notification No. F. 11(2)DOP/A-II/75, dated 18.08.1982.

<sup>2</sup> Added vide Notification No. F. 7(3)DOP/A-2/95, dated 18.02.1998.

<sup>3</sup> Added vide Notification No. F. 7(3)DOP/A-II/95 Pt., dated 18.07.2017.

<sup>4</sup> Added vide Notification No. F. 7(4)DOP/A-II/2023-04341, dated 15.05.2023.

<sup>1</sup>SCHEDULE-I

S. No	Name of post	Method of the recruitment with percentage	Minimum qualification and experience for direct recruitment	Post from which promotion is to be made	Minimum qualification and experience for promotion	Remarks
1	2	3	4	5	6	7
<b>Senior post</b>						
1	Additional Commissioner Excise	100% by promotion	-	Deputy Commissioner/ District Excise officer (Senior Scale)	Five years' Experience on the post mentioned in column 5	-
2	Deputy Commissioner/ District Excise officer (Senior Scale)	100% by promotion	-	District Excise Officer (OrdinaryScale)	Five years' Experience on the post mentioned in column 5	-
3	District Excise Officer (OrdinaryScale)	100% by promotion	-	Assistant Excise Officer	Five years' Experience on the post mentioned in column 5	-

<sup>1</sup> Substituted for-

SCHEDULE-I

1	2	3	4	5	6	7
<b>Senior post</b>						
1	Additional Commissioner Excise	100% by promotion	-	Deputy Commissioner/ District Excise officer (Senior Scale)	5 years' Experience on the post mentioned in column 4	-
2	Deputy Commissioner/ District Excise officer (Senior Scale)	100% by promotion	-	District Excise Officer (Ordinary Scale)	5 years' Experience on the post mentioned in column 4	-
*3	District Excise Officer (Ordinary Scale)	100% by promotion	-	Assistant Excise Officer	5 years' Experience on the post mentioned in column 4	-
<b>Junior post</b>						
*4	Assistant Excise Officer	100% by promotion	-	Excise Inspector Grade-I	5 years' Experience on the post mentioned in column 5	-

vide Notification No. F. 1(12)DOP/A-II/89, dated 27.01.2017.

1	2	3	4	5	6	7
<b>Junior post</b>						
4	Assistant Excise Officer	25% by combined competitive examination in accordance with the provisions laid down in the Rajasthan State and Subordinate Service (Direct Recruitment by Combined Competitive Examination) Rules, 1999; and 75% by promotion	As mentioned in the Rajasthan State and Subordinate Service (Direct Recruitment by Combined Competitive Examination) Rules, 1999	Excise Inspector Grade-I	Five years' Experience on the post mentioned in column 5	-

\* Substituted for-

1	2	3	4	5
3	Senior Post, District Excise Officer	100% by promotion	Assistant Excise Officer	(1) 5 years continued Service as Assistant Excise Officer or Assistant Excise & Taxation Officer or equivalent post in Excise & Taxation Department including service on Higher Post in the Excise Department. (2) In addition to above, must, have passed qualifying-cum-departmental examination as per Schedule-II.
4	Junior Post, Assistant Excise Officer	100% by promotion	(1) Excise Inspector Grade-I (2) Prosecuting Inspector, Excise Department	Five years' Experience as Inspector of Excise Grade I or Inspector of Excise and Taxation Grade I or Prosecuting Inspector, Excise provided that the qualifying-cum Departmental examination as per Schedule-II has been passed by such Inspector/Prosecuting Inspector who has not been recruited in accordance with the Rajasthan State and Subordinate Services (Direct Recruitment by Combined Competitive Examination) Rules, 1962.

vide Notification No. F. 1(12)DOP/A-II/89, dated 25.11.2002.

## %Deleted "Schedule II"

% Deleted- "Schedule II  
Rajasthan For the Qualifying-cum-Departmental Examination for the Rajasthan Excise (General Branch) Service.

1. A Candidate selected for the post of Rajasthan Excise (General) Service, shall be required to pass a qualifying department examination in accordance with these Regulations before the end of his period of his period of probation or before the expiry of a period of one year from the date on which rules are first published, whichever is later.
2. (i) Candidate failing to appear at or to pass the qualifying departmental examination within the period specified in regulation (4) above may be allowed to appear at any one of the two examinations held next after the expiry of that period.  
(ii) In case of candidates falling under sub-regulation (i) no increment shall be allowed till the examination is passed by such candidate and his service shall be termination is if he fails to appear at or to pass the examination with in the extended period allowed by this regulation:  
Provided that if the failure to appear at or to pass the examination within the extended period allowed by this regulation was due to circumstances beyond the candidate's control, the Government may grant special permission to appear at the examination to be held next after the expiry of such period.
3. A qualifying-cum departmental examination shall be held every year. Employees who eligible for promotion to the service may appear at the examination.
4. The use of books shall be allowed for answering all papers except in the case of paper I.
5. A candidate shall be required to secure 50% of the maximum marks in each paper to pass the examination:  
Provided that a candidate who appears an all the papers but fails to obtain the maximum number of marks required for passing in one paper alone shall be entitled to have his deficiency condoned provided he has secured 40% marks in that paper.
6. An un-successful candidate who has obtained 60% of the marks obtainable in a paper will be exempted from appearing again in that paper.
7. No employee will be allowed more than 2 chances to appear at the examination.
8. Notwithstanding the provisions of Rule 18 (1) of One will be the Departmental Examination Rules, no of exempted from appearing at the examination by reason of age or any other cause but exemption may be allowed in individual paper (s) to persons who possess a professional which is deemed equivalent to pass in that paper.

Syllabus for the Qualifying- cum-Departmental Examination.

1. Paper No. I Marks: 100  
Rajasthan Excise Act (as amended unto - date) and Rules, Notifications and orders there under.
2. Paper No. II Marks: 100
  - (i) Opium Act, 1878.
  - (ii) Rajasthan Opium Smoking Act.
  - (iii) Dangerous Drugs Act, 1930.
  - (iv) Medicinal and Toilet Preparations Act." vide Notification No. F. 9(1)Appts./A-II/67, dated 15.10.1979.

**By order in the name of Governor,**

**Sd/-**

**(V. B. L. Mathur)**

**Special Secretary to the Government**