

Rajasthan -Gazette Notification, March 5, 1986Part 4(c)
Establishment Rules (Amended Up to 07.03. 2014)
**DEPARTMENT OF PERSONNEL & ADMINISTRATIVE
REFORMS**
(Department of Personnel-A-II)
NOTIFICATION
Jaipur, February 25, 1986

G.S.R. 120:- In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Rajasthan in consultation with the High Court of Judicature for Rajasthan makes the following rules regulating appointment to the ministerial establishment of the Courts Subordinate to the High Court of Judicature for Rajasthan and the conditions of service of the persons so appointed:-

**THE RAJASTHAN SUBORDINATE COURTS MINISTERIAL
ESTABLISHMENT RULES, 1986**
(As Amended Time To Time, Till 07.03.2014)

1. Short title, commencement and extent-

- (i) These rules may be called the Rajasthan Subordinate Courts Ministerial Establishment Rules, 1986
- (ii) They shall come into force at once.
- (iii) They shall apply to all persons in the Ministerial Establishment of the Courts Subordinate to the High Court of Judicature for Rajasthan.

2. Supersession of existing rules and orders:-

The Rajasthan Subordinate Civil Courts Ministerial Establishment Rules, 1958 are hereby repealed but any action taken by or in pursuance of such rules shall be deemed to have been taken under these rules.

3. Definitions:- In these rules, unless there is anything repugnant in the subject or context:-

- (a) "Appointing Authority" means the District and Sessions Judge or, to the extent the authority delegated to him, such officer, to whom the authority to make appointments to the Staff may be delegated by the District and Sessions Judge, with the approval of the High Court.
- (b) [deleted]¹
- (c) "Direct recruitment" means recruitment otherwise than promotion or transfer.
- (d) "Government" and "State" mean respectively, the Government of Rajasthan and the State of Rajasthan.
- (e) "High Court" means the High Court of Judicature of Rajasthan.
- (f) "Judgeship" means the administrative Jurisdiction of District and Sessions Judge.

¹Clause (b) deleted vide Notification No. F. 3(33) DOP/AII/85 dated:8/12/99

- (g) "Ministerial Establishment" means the ministerial staff of the Courts subordinate to the High Court of Judicature for Rajasthan.
- (h) "Schedule" means the Schedule appended to these rules.
- (i) "Substantive appointment" means an appointment made under the provisions of these rules [deleted]² after due selection by any of the methods of recruitment prescribed under these rules and includes an appointment on probation or as a probationer followed by confirmation on the completion of the probationary period.

Note:- Due selection by any of the methods of recruitment prescribed under these Rules will include recruitment either on initial constitution of service or in accordance with the provisions of any rules promulgated under proviso to Article 309 of the Constitution of India, except urgent temporary appointment.

- (j) "Subordinate Courts" means the Court of –
 - (i) District & Sessions Judge,
 - (ii) Additional District & Sessions Judge,
 - (iii) Special Judge
 - (iv) Civil Judge-cum-Chief Judicial Magistrate
 - (v) Civil Judge-cum-Additional Chief Judicial Magistrate
 - (vi) Additional Civil Judge-cum-Additional Chief Judicial Magistrate
 - (vii) Additional Civil Judge (Judge, Small Cause Court)-cum- Judicial Magistrate
 - (viii) Munsif
 - (ix) Munsif-cum-Judicial Magistrate
 - (x) Additional Munsif-cum-Judicial Magistrate
 - (xi) Judicial Magistrate
 - (xii) Judicial Magistrate (Railway)
 - (xiii) Judicial Magistrate (Roadways)
 - (xiv) Special Judicial Magistrate.

And any other Court subordinate to the High Court created by the Governor in accordance with law.

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

PART-II CADRE

5. Strength of Staff:- (i) The strength of the Staff of a judgeship shall be such as may be determined by the High Court from time to time in the proposition statement of that Judgeship out of the total strength sanctioned by the Government for the subordinate Courts of the State:

Provided that the appointing authority may from time to time subject to the orders of the High Court leave unfilled any

²The expression "to a substantive vacancy" deleted vide Notification No. F. 3(33) DOP/ AII /85 dated : 8/12/99

vacant post without thereby entitling any person to compensation.

"(ii) The Staff shall comprise a cadre of Senior Personal Assistant, Personal Assistant and Stenographer and a general cadre consisting of one or more of the following categories of posts, as may be determined by the High Court from time to time.

(A) Senior Personal Assistant/ Personal Assistant /Stenographer's Cadre:

- (1) Senior Personal Assistant for the Courts of District and Sessions Judges.**
- (2) Personal Assistants for the Courts Additional District & Sessions Judges.**
- (3) Stenographers for the Courts other than the Courts of District & Sessions Judges and Additional District & Sessions Judges.**

(B) General Cadre:

- (1) Senior Munsarim**
- (2) Munsarim,**
- (3) Assistants,**
- (4) Readers for the Courts of District and Sessions Judges and Additional District & Sessions Judges,**
- (5) Readers to other Courts**
- (6) Upper Division Clerks:-**
 - (A) Senior Clerk;**
 - (B) Head Copyist;**
 - (C) Record Keeper;**
 - (D) Readers for the Courts other than the Courts of District and Sessions Judges & Additional District and Sessions Judges;**
 - (E) Civil Clerks in the Courts of District and Sessions Judges & Additional District and Sessions Judges;**
 - (F) Criminal Clerks in the Courts of District and Sessions Judges & Additional District and Sessions Judges;**
 - (G) Execution Clerks in the Courts of District and Sessions Judges & Additional District and Sessions Judges;**
 - (H) Sales Amin-cum-Return Clerks; and**
 - (I) Assistant Nazirs**
- (7) Lower Division Clerks:-**
 - (a) Civil Clerks,**
 - (b) Criminal Clerks,**
 - (c) Execution Clerks,**
 - (d) Assistant Record-Keepers,**
 - (e) Librarians,**
 - (f) Inspection Clerks,**
 - (g) Typists,**
 - (h) Copyists,**
 - (i) Hindi Typist-cum-Copyists,**
 - (j) Receipt and dispatch Clerks, and**
 - (k) Relieving Clerks.**

(8) Any other post as may be sanctioned by the Government from time to time.³

(iii) For accounts work there shall be Junior Accountants who shall be posted by the Chief Accounts Officer, Rajasthan with the concurrence of the District & Sessions Judge concerned.

**PART-III
Recruitment**

6. Methods of recruitment- Recruitment to the Staff after the commencement of these rules shall be made:-

"(a) to the cadre of Senior Personal assistants/ Stenographers,-

- (i) as Stenographers by direct recruitment,**
- (ii) as Personal Assistants by promotion from Stenographers,**
- (iii) as Senior Personal Assistants by promotion from Personal Assistants:**

Provided that if a suitable person is not available amongst the Stenographers for promotion to the post of Personal Assistant, a person may be recruited to the post of Personal Assistant in accordance with these Rules."⁴

- (b) to the general cadre as Lower Division Clerks by a Competitive Examination.

Provided further that for the recruitment to the post of Lower Division Clerk by way of promotion from the class IVth employes

- (i) For the posts available for promotion upto 31st July 2013
"Secondary from a recognized Board or its equivalent examination."
- (ii) For the posts available for promotion after 31st July 2013⁵

"The same as provided for direct recruitment to the post of Lower Division Clerk."

Provided that **15%⁶** of the total number of vacancies of the Lower Division Clerks in each Judgeship shall be reserved for being filled in by promotion from amongst the Class IV employees who have put in five years service in the Judgeship concerned and possess the academic qualification prescribed by these rules for the post of Lower Division Clerk.

- (c) to other posts in each cadre by promotion within the Judgeship:

Provided that a post in any cadre may also be filled by transfer of a person holding a post in

³ Sub-rule (ii) of rule 5 substituted vide Notification No. F. 3(33) DOP/AII/85 dated: 8/12/99.

⁴ Clause (a) of rule 6 substituted vide Notification No. F. 3(33) DOP/AII/85dated : 8/12/99

⁵ Substituted vide Notification No.GSR 100 DOP (A-Gr-II) Dated 07-03-2014

⁶ 10% Substituted by 15% vide Notification No. F. 3(33) DOP/AII/85 dated : 8/12/99

another Judgeship corresponding to a post in the cadre concerned with the concurrence of the District and Sessions Judge concerned and the approval of the Rajasthan High Court. The High Court may also transfer any member of the Ministerial or Class IV establishment from one judgeship to another or a member of the Ministerial or Class IV establishment of the High Court to the Ministerial or Class IV establishment of a Judgeship or a Member of the Ministerial or Class IV establishment of Judgeship to the Ministerial or Class IV establishment of the High Court.

"6-A: Recruitment to the service by the aforesaid methods 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/schedule of the total cadre strength as sanctioned for each category, from time to time.⁷

6-B. 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 instructions issued on the subject by the Government of India with effect from 29-10-1963 or from the date of respective service rules came into force.

7. Reservation of vacancies for the Scheduled Castes and the Schedule Tribes- (1) Reservation of vacancies for the Scheduled Castes and the Schedule Tribes shall be in accordance with the orders of the Government for such reservation in force at the time of recruitment that is, by direct recruitment, and by promotion.

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

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

(4) 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 Scheduled Tribes, as the case may be, in a particular year, the vacancies so reserved for the 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.

⁷Rule 6-A added vide Notification No. F. 3(33) DOP/AII/85 dated : 8/12/99

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

7-B: Reservation of vacancies for Woman Candidates.-Reservation of vacancies for woman candidates shall be 20% categorywise, in direct recruitment. In the event of non-availability of the eligible and suitable women candidates in a particular year, the vacancies so reserved for them shall be filled up by male candidates and such vacancies shall not be carried forward to the subsequent year and the reservation shall be treated as horizontal reservation i.e. the proportionately in the respective category to which the women candidates belong.

7-C: Reservation of vacancies for outstanding Sportspersons.-Reservation of vacancies for Outstanding Sportsperson shall be 2% of the total vacancies outside the purview of the Commission earmarked for direct recruitment. In the event of non-availability of the eligible and suitable sportspersons in the particular year, the vacancies so reserved for them shall be filled in accordance with the normal procedure and such vacancies shall not be carried forward to the subsequent year. The reservation for sportspersons shall be treated as horizontal reservation and it shall be adjusted in the respective category to which the sportspersons belong.

Explanation:- Outstanding Sportspersons shall mean and include the sportspersons belonging to the State who have participated individually or in team in the sports and Games recognized by the International Olympic Committee and Indian Olympic Association or, in International Championships in Badminton, Tennis, Chess and Cricket recognized by their respective National Level Association, Federation or Board; with the following descriptions;

Has represented India in Asian Games, Asian Championships, Common Wealth Games, World Championships, World University Games, World School Games, SAARC Games or Olympic Games where he (in an individual item) or his team (in a team event) has obtained 1st, 2nd or 3rd position.⁸

8. Nationality- A candidate for appointment to the service must be:-

- (a) A citizen of India, or
- (b) A subject of Nepal, or
- (c) A subject of Bhutan, or

⁸New Rule 7-A, 7-B and 7-C added vide Notification No. F. 3(33) DOP/AII/85 dated : 8/12/99

- (d) A Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (e) A person of Indian origin who has migrated from Pakistan, Burma, Ceylon and East African Countries of Kenya, Uganda and the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi Zaire and Ethiopia with the intention of permanently settling in India:

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

[deleted]⁹

"9 Age :- A candidate for direct recruitment to any cadre must have attained the age of 18 years and must not have attained the age of 35 years on the last date fixed for submission of the application.

Provided that:-

- (i) the upper age limit shall be relaxed by 5 years in the case of a member of Scheduled Castes/ Scheduled Tribes and Other Backward Classes.***
- (ii) the upper age limit shall be relaxed by 5 years in case of woman candidates.***
- (iii) the upper age limit for reservists, namely defence services personnel transferred to the reserve shall be 50 years.***
- (iv) the upper age limit shall be relaxable for a period equal to the service rendered in the N.C.C. in the case of Cadet instructors & if the resultant age does not exceed the prescribed maximum age limit by more than 3 years they shall be deemed to be within the prescribed age limit.***
- (v) there shall be no restriction as to age for a candidate already serving in connection with the affairs of the State in a substantive or temporary capacity, having been so appointed prior to his attaining the age of 35 years.***
- (vi) there shall be no age limit in case of persons repatriated from East African countries of Kenya, Tanganika, Uganda & Zanzibar.***
- (vii) that the upper age limit mentioned above shall not apply in case of an ex-prisoner who had served under the Government on a substantive basis on any post before his conviction and was eligible for appointment under the Rules.***

⁹The second para of proviso to clause (e) of rule 8 deleted vide Notification No. F. 3(33) DOP/ AII/ 85 dated : 8/12/99

- (viii) that in the case of other ex-prisoner the upper age limit mentioned above shall be relaxed by a period equal to the term of imprisonment served by him provided he was not over age before conviction and was eligible for appointment under the Rules.**
- (ix) there shall be no age limit in the case of widows and divorcee women.**

Explanation: In the case of widow, she will have furnish a certificate of death of her husband from the Competent Authority and in the case of divorcee she will have to furnish the proof of divorce.¹⁰

10. Academic qualifications.- (1) A candidate for direct recruitment to the "Senior Personal Assistants/ Personal Assistants/ Stenographers' Cadre"¹¹ .-

(a) must have passed the Senior Secondary Examination in Arts or Science or Commerce of the Rajasthan Board of Secondary Education or an Examination equivalent thereto recognized by the Government or any Higher Examination.¹²

(b) must have passed a [deleted]¹³ speed test-

(i) in the case of Stenographer [deleted]¹⁴

Either
at 100 words per minute in English Shorthand [deleted]¹⁵

Or
At 80 words per minute in Hindi Shorthand. [deleted]¹⁶

(ii) in case of "**Personal Assistants**"¹⁷

either
at 120 words per minute in English Shorthand and 40 words per minute in English Typing.

Or
At 100 words per minute in Hindi Shorthand and 30 words per minute in Hindi Typing. [deleted]¹⁸

[deleted]¹⁹

¹⁰Substituted vide Notification No. F. 3(33) DOP/AI/85 dated 6/07/2010

¹¹Substituted vide Notification No. F. 3(33) DOP/AII/85 dated : 8/12/99

¹²Substituted Vide Notification G.S.R. 87 Department of Personnel (A-Gr. II) dated 09.01.2013

¹³The word "Provisional" deleted vide Notification No. F. 3(33) DOP/AII/85 dated : 8/12/99

¹⁴The expression "Grade II" deleted vide Notification No. F. 3(33)DOP/AII/85dated:8/12/99

¹⁵ The expression 40 words per minute in English Typing deleted vide Notification No. GSR 100 DOP (A-Gr-II) Dated 07-03-2014

¹⁶ The expression 30 words per minute in Hindi Typing deleted vide Notification No.GSR 100 DOP (A-Gr-II) Dated 07-03-2014

¹⁷Substituted vide Notification No. F. 3(33) DOP/AII/85 dated :8/12/99

¹⁸The expression "and during.....Schedule I" deleted vide Notification No.F. 3(33)DOP/ AII/85 dated : 8/12/99

¹⁹Proviso "Provided that.....District Judge" deleted vide Notification No.F. 3(33)DOP/AII/ 85 dated : 8/12/99

(c) must possess a good working knowledge of Hindi as written in Devanagri script and of Rajasthan Dialects.

“²⁰(d) Must have passed

“O” or Higher level Certificate Course conducted by DOEACC under control of the Department of Electronics, Government of India;

Or

Computer Operator & Programming Assistant (COPA)/Data Preparation & Computer Software (DPCS) certificate organized under National/State council of Vocational Scheme;

Or

Diploma in Computer Science /Computer Application from any University established by Law in India or from an Institution recognized by the Government;

Or

Diploma in Computer Science & Engineering from a Polytechnic Institution recognized by the Government;

Or

Rajasthan State Certificate Course in Information Technology (RSCIT) Conducted by Vardhaman Mahaveer Open University, Kota under control of Rajasthan Knowledge Corporation Limited;

Or

Senior Secondary School Examination with Computer Science as an optional subject;

Or

Any equivalent or higher qualification”

“²¹(2) a candidate for direct recruitment to the general cadre must have passed the Senior Secondary Examination of the Rajasthan Board of Secondary Education or any Examination of University or Board recognized as equivalent thereto by the Government, or any higher examination , and must in addition possess a good knowledge of Hindi written in Devnagri script and must have passed:-

“O” or Higher Level Certificate course conducted by DOEACC under control of the Department of Electronics, Government of India;

Or

²⁰ Substituted Vide Notification No. GSR 100 DOP (A-Gr-II) Dated 07-03-2014

²¹ Substituted Vide Notification No. GSR 100 DOP (A-Gr-II) Dated 07-03-2014

Computer Operator & Programming Assistant (COPA)/Data preparation and Computer Software (DPCS) Certificate organized under National/State Council of Vocational Training Scheme;

Or

Diploma in Computer Science/Computer Application from a University established by law in India or from an Institution recognised by the Government,

Or

Diploma in Computer Science & Engineering from a polytechnic institution recognized by the Government;

Or

Rajasthan State Certificate Course in Information Technology (RSCIT) Conducted by Vardhaman Mahaveer Open University, Kota under control of Rajasthan Knowledge Corporation Limited;

Or

Senior Secondary school examination with computer science as an optional subject;

Or

Any equivalent or higher qualification."

Provided that in suitable cases, the High Court may relax the condition of Computer Application qualification for physically disabled persons, who shall be eligible for recruitment and appointment to the earmarked and reserved posts in accordance with the Rajasthan Disabled persons Employment Rules 2000 and orders of the Government issued from time to time in this behalf;

Provided further that for the recruitment to the post of Lower Division Clerk by way of promotion from the Class IVth employees as provided in Rule 6(b) the academic qualification shall be as follows:

(i) For the posts available for promotion up to 31st July 2013 "Secondary from a recognized Board or its equivalent examination".

(ii) For the posts available for promotion after 31st July 2013 "The same as provided for direct recruitment to the post of Lower Division Clerk".

11. Character.- The Character of a Candidate for Direct recruitment to any cadre must be such as to fit him for public service. He must produce a certificate of good character from the principal academic officer of the University College or School in which he has last educated and two each certificates written not more than six months prior to the date of application from two responsible persons not connected with his school, college or university and not related to him.

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

12. Physical Fitness.- A candidate for direct recruitment to any cadre must be in good mental and bodily health and free from any physical defect likely to interfere with the efficient performance of his duties and if selected, must produce a certificate to that effect from a medical authority notified by Government for the purpose. The appointing authority may dispense with production of such certificate in the case of a candidate promoted in the regular line of promotion, or who is already serving in connection with the affairs of the State if he has already been medically examined for the previous appointment and the essential standards of medical examination of the two posts held by him are to be comparable for efficient performance of duties of the new post and his age has not reduced his efficiency for the purpose.

13. Employment of irregular or improper means.- A candidate who is or has been declared by the [deleted]²² Appointing Authority guilty of impersonation or of submitting fabricated documents, which have been tampered with or of making statements which are incorrect or false or of suppressing material information or using or attempting to use unfair means in the examination or interview or otherwise resorting to any other irregular or improper means for obtaining admission to the examination or appearance at any interview, shall in addition to rendering himself liable to criminal prosecution to be debarred either permanently or for specified period:-

- (a) by the [deleted]²³ Appointing Authority from admission to any examination or appearance at any interview held by the [deleted]²⁴ Appointing Authority for selection of Candidates, and
- (b) by the Government from employment under the Government.

14. Promotion.- (i) The posts in a Judgeship are ordinarily reserved for Clerks in that Judgeship and promotion to higher post shall ordinarily be made from amongst them. If no suitable person is available in the Judgeship for promotion to a particular post, promotion may be made from another judgeship with the sanction of the High Court.

(ii) Selection for promotion to the posts of Upper Division Clerks and Readers in the Courts other than those of District and

²²The expression "Commission/" deleted vide Notification No. F. 3(33)DOP/AII/85 dated :8/12/99

²³The expression "Commission/" deleted vide Notification No. F. 3(33)DOP/AII/85 dated :8/12/99

²⁴The expression "Commission/" deleted vide Notification No. F. 3(33)DOP/AII/85 dated :8/12/99

Sessions Judges shall be made from the Lower Division Clerks on the basis of seniority-cum-merit.

Provided that the Lower Division Clerk shall not be considered for promotion to the next higher post or category of posts until he passes the Departmental Examination of Clerks conducted by the High Court according to the syllabus and instructions given in Schedule IV.

(iii) Selection for promotion to the posts of Readers in the Courts of District and Sessions Judges and Additional District and Sessions Judges as also Assistant shall be made from amongst Upper Division Clerks/Readers of the Courts other than the Courts of District and Sessions judges and Additional District and Sessions Judges on the basis of **seniority-cum-merit**²⁵.

(iv) **"No Stenographer shall be promoted as personal assistant unless he passes a speed test as provided in these rules, held by the Appointing Authority."**²⁶

(v) Selection for promotion to the post of Munsarim shall be made on the basis of merit alone. No person shall be appointed substantively as Munsarim unless he has been in service for at least ten years and during that period has held the post of Upper Division Clerk or a hither post including that of "Personal Assistant and Stenographers"²⁷ for at least five years and has passed the Departmental Examinations of Munsarim according to the syllabus and instructions given in Schedule IV.

(vi) A person promoted as Munsarim shall be reverted to the post held by him prior to his promotion as Munsarim, if he fails to pass the Departmental Examination even after three attempts.

(vii) 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, as the case may be:

"(vii-A) Selection to the post of "Senior Munsarim" shall be made from amongst the Munsarims on the basis of merit by the High Court or by a person who may be authorized by the High Court for the purpose. No person shall be appointed as "Senior Munsarim" unless he has worked as "Munsarim" for a period of five years."²⁸

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

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

²⁵Substituted vide Notification No. F. 3(33) DOP/AII/85 dated : 8/12/99

²⁶Substituted vide Notification No. F. 3(33) DOP/AII/85 dated : 8/12/99

²⁷Substituted vide Notification No. F. 3(33) DOP/AII/85 dated : 8/12/99

²⁸Added vide Notification No. F. 3(33) DOP/AII/85 dated : 8/12/99

"14A Disqualification for promotion:- A Government Servant shall be disqualified for promotion for five recruitment years from the date his promotion becomes due after commencement of these rules, if he has more than two children.

Provided that if a Government servant had single child on the date of commencement of these rules but more than one child are born in a single subsequent delivery, the children so born shall be treated as one while counting the total number of children.

Provided further that for purpose of this rule birth of a child within 280 days from the date of commencement of these rules shall not constitute disqualification."²⁹

PART-IV

Procedure for direct recruitment

15. Frequency of examinations.- Early in each year or as the circumstances may require, each District Judge shall recruit as many candidates for his Judgeship as required for the vacancies likely to arise in the Course of the year.

16. Authority for conducting the examination and Syllabus.- The examination shall be conducted by the District Judge or by a Senior Judge or Munsif if such power is delegated to any one of them by the District Judge on the basis of likely vacancies during a year. The Syllabus of the examination shall be as given in Schedule-I.

"17. Inviting of Applications:- The applications to appear for the examination shall be invited by the District Judge by advertisement the posts in such manner as he may be deem fit and shall be made in form 'A' and 'B' in Schedule-II. The advertisement shall contain a clause that a candidate who accepts the assignment on the post being offered to him/her shall be paid monthly fixed remuneration at the rate fixed by the State Government from time to time during the period of probation and the scale of pay of the post as shown else-where in the advertisement shall be allowed only from the date of successful completion of the period of probation mentioned in these rules.

The applicant shall be required to pay following application fee in the District Court:-

- (i) In case of candidate belonging .. Rs.200/-
to General Category**
- (ii) In case of candidate belonging .. 50% fee of General
to Category to Other Backward
Classes**
- (iii) In case of candidate belonging .. Nil
to Scheduled Caste/ Scheduled Tribes and
Those belonging to BPL Card holder families."³⁰**

²⁹ Added vide Notification No. F. 3(33) DOP/AI/85 dated 6/07/2010

³⁰ Substituted Vide Notification G.S.R. 87 Department of Personnel (A-Gr. II) dated 09.01.2013

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

19. Registration of Selected Candidates- (i) The names of candidates selected on the basis of the aggregate marks obtained by them shall be entered in order of merit in a bound register in the form given in Schedule III and each entry shall be initialed and dated by the appointing authority:

Provided that no candidate who failed to secure 40% of the total marks with atleast 30% marks in each paper at the competitive examination shall be selected. If two or more of such candidates obtain equal marks in the aggregate, their names shall be arranged in order of merit on the basis of their general suitability. An entry shall be made in the remarks column against the name of a candidate who has qualified himself as Stenographer [deleted]³¹.

Note:- (1) [deleted]³²

(2) The result of the successful candidates shall be exhibited on the notice board of the Court of District and Sessions Judge showing the marks obtained by all the candidates in different subjects.

(ii) The name of any candidate entered under sub-rule (1) may be removed for inefficiency or misconduct.

(iii) If any such candidate has not been given an appointment offered in strict order of seniority according to the list in the bound register prescribed under rule (1) within one year from the date of declaration of the result of his recruitment test, his name shall be automatically removed from the register of recruited candidates. He must then take his chance with others for recruitment again in subsequent year.

20. Disqualification for appointment.-

(1) No male candidate who has more than one wife living shall be eligible for appointment to the Service unless Government after being satisfied that there are special grounds for doing so, exempt any male candidate from the operation of this rule.

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

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

(4) No candidate shall be eligible for appointment if he has more than two children.

Provided that the candidate having more than two children on the date of commencement of these rules shall not be deemed to be disqualified.

³¹The expression "Grade II" deleted vide Notification No. F. 3(33) DOP/AII/85 dated : 8/12/99

³² Note (1) deleted vide Notification No. F. 3(33) DOP/AII/85 dated : 8/12/99

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

Provided also that for the purpose of this sub-rule birth of a child within 280 days from the date of commencement of these rules shall not constitute disqualification.³³

PART-IV-A³⁴

"Procedure for direct recruitment to the Senior Personal Assistant/Personal Assistant/ Stenographer Cadre".³⁵

21. Inviting Applications.- Application for direct recruitment to the **"Senior Personal Assistant/ Personal Assistant/ Stenographer Cadre"**³⁶ shall be invited by the appointing authority by advertising the vacancies to be filled in such manner as it may deem fit and shall be made inform 'B' given in Schedule II.

22. Selection.- The selection shall be made by the appointing authority after holding a speed test and interviewing the candidates for the purpose of ascertaining whether they stammer so much that they are unable to read out what they have written. The names of the selected candidates shall be laced in a list in order of merit, and appointment shall be made out of those who stand highest in the list and after the appointing authority has satisfied itself by making such inquiry as may be considered necessary that such candidates are suitable in all respects for appointment to the cadre.

PART-V

Appointments, Probation and Confirmation

23. Appointments.- (1) all appointments to the Ministerial establishment shall be made by the District Judge, except in case of Stenographers, first appointment shall be made to the lowest post.

(2) In filling the posts of Stenographers preference shall be given to officials possessing the prescribed qualifications who are already working in the Judgeship in which the vacancy has occurred.

(3) A vacancy which can not be filled in immediately either by direct recruitment or by promotion may be filled in by appointing authority by appointing temporarily thereto a person eligible for direct recruitment or by appointing thereto an official eligible for appointment to the post by promotion.

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

"24. Departmental Examination:- The persons appointed to the posts of Lower Division Clerks and Munsarims shall be required to pass a Departmental

³³Added vide Notification No. F. 3(33) DOP/AI/85 dated 6/07/2010

³⁴Substituted vide Notification No. F. 3(33) DOP/AII/85 dated : 8/12/99

³⁵Substituted vide Notification No. F. 3(33) DOP/AII/85 dated : 8/12/99

³⁶Substituted vide Notification No. F. 3(33) DOP/AII/85 dated : 8/12/99

Examination prior to their being confirmed after completion of probation or for being considered for promotion to higher cadre. The examination shall be conducted by the concerned District and Sessions Judge and the Syllabus of examination shall be as given in Schedule-IV.”³⁷

25. Appeal.- Any person aggrieved by any order of appointment made otherwise than in accordance with these rule shall have a right to appeal to the High Court within three months of the order by which he may be aggrieved.

26. Seniority.- Seniority in service shall be determined- from the date of substantive appointment on the post and if such date is the same in the case of more than one person, than according to their respective positions on the next lower posts.³⁸

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

(ii) Provided further that seniority in service for the purpose of promotion of a member of the Staff transferred from one Judgeship to another Judgeship or from High Court to a Judgeship under the proviso to Rule 6 shall be determined on the basis of length of service of the person transferred in the cadre from which promotion is under consideration. In doing so, however, the previously determined inter se seniority of employees belonging to the same Covenanting state shall not be disturbed.

Explanation.- ‘Length of Service’ in the above proviso means length of **“substantive”³⁹** service in the case of a person appointed substantively and length of temporary service in case of a person appointed temporarily.

(iii) The inter se seniority of persons appointed by promotion to the posts of Lower Division Clerks against the vacancies reserved under proviso to Rule 6 (b) shall be determined on the basis of length of continuous service.

“(iv) 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/ Other Backward Class candidate who is promoted later to the said immediate higher post/grade, the General/ Other Backward Class Candidate will regain his seniority over such earlier promoted candidate of the Scheduled Caste/ Scheduled Tribe in the immediate higher post/ grade.”⁴⁰

27. Seniority of Stenographers vis-a-vis other members.- The seniority of Stenographers vis-a-vis other

³⁷Substituted vide Notification No. F. 3(33) DOP/AI/85 dated 6/07/2010

³⁸Substituted vide Notification No. F. 3(33) DOP/AII/85 dated : 8/12/99

³⁹Substituted vide Notification No. F. 3(33) DOP/AII/85 dated : 8/12/99

⁴⁰Substituted vide Notification No. F. 3(33) DOP/AII/85 dated : 8/12/99

members of the Staff for the purpose of promotion, the general cadre shall be determined on the basis of total length of service counted from the date of entry into government service.

"Provided 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/ other Backward class Candidate who is promoted later to the said immediate higher post/grade, the General/ Other Backward class Candidate will regain his seniority over such earlier promoted candidate of the Scheduled Caste/Scheduled Tribe in the immediate higher post/ grade."⁴¹

"28. Period of Probation:- (1) All persons appointed to any cadre by direct recruitment against substantive vacancies shall be placed as probationer-trainee for two years.

Provided that a person who has been regularly recruited against temporary post and has put in two years service after such regular recruitment, on conversion of such post into a permanent one or on a permanent vacancy being available, he shall be confirmed only after he has fulfilled the conditions of confirmation as laid down in Rule 31.⁴²

(2) 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 on the date of immediately preceding the date of his/her death or retirement from Government Service.

29. [deleted]⁴³

30. Unsatisfactory progress during probation:- (1) If it appears to the appointing authority at any time during or at the end of the period of probation that a probationer has failed to give satisfaction, the appointing authority may revert him to the post held substantively by him immediately preceding his appointment on promotion, provided he holds a lien thereon or in other case may remove him from service:

Provided that the appointing authority may extend the period of probation of any probationer by a specified period not exceeding six months.

(2) A probationer reverted or removed from service during or at the end of the period of probation under sub-rule (1) shall not be entitled to any compensation.

31. Confirmation.- A probationer shall be confirmed in his appointment at the end of the period of his probation if:-

- (a) he has passed the prescribed Departmental Examination of Clerks or Munsarims as the case may be, and

⁴¹Substituted vide Notification No. F. 3(33) DOP/AII/85 dated : 8/12/99

⁴²Substituted Vide Notification G.S.R. 87 Department of Personnel (A-Gr. II) dated 09.01.2013

⁴³The Rule 29 deleted vide Notification No. F. 3(33) DOP/AII/85 dated :8/12/99

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

32. Scale of Pay.- The scale of pay to a persons appointed to the posts in the various cadres shall be such as may be sanctioned by the Government from time to time.

33. Pay during probation.- " *A probationer trainee appointed to the service by direct recruitment, shall be paid monthly fixed remuneration during the period of probation at such rate as may be fixed by the Government from time to time.*" ⁴⁴

"34. Increment during probation:- *Increments to the probationer-trainee and probationer shall be governed by the provisions of the Rajasthan Service Rules, 1951 as amended from time to time.*" ⁴⁵

35. Representation:- Any persons aggrieved by an order of the District and Sessions Judge relating to seniority or compulsory retirement under sub-rule (2) of Rule 244 of the Rajasthan Service Rules may within a period of three months make a representation to the High Court.

"35-A: The employees who, by an order of the High Court, have worked, during winter holidays, may be compensated by compensatory casual leave in the next Calendar year." ⁴⁶

36. Regulation of leave, allowance, pension etc:- Except as provided in these Rules, the pay, allowance, pension, leave and other conditions of service of the Staff shall be regulated by:-

1. The Rajasthan Service Rules, 1951 as amended upto date.
2. The Rajasthan Travelling Allowance Rules, as amended upto date.
3. The Rajasthan Civil Services (Classification, Control and Appeal) Rules, 1958 as amended upto date.
4. The Rajasthan Civil Service (Absorption of Surplus personnel) Rules, 1969 as amended upto date.
5. The Rajasthan Civil Services (Conduct) Rules, 1971 as amended upto date.
6. The Rajasthan Civil Services (unification of pay scales) Rules, 1950 as amended upto date.
7. The Rajasthan Civil Services (Rationalization of pay scales) Rules, 1956 as amended upto date.
8. The Rajasthan Civil Services (Revised pay scales) Rules, 1961 as amended upto date.
9. The Rajasthan Civil Services (New pay scales) Rules, 1969 as amended upto date.
10. The Rajasthan Civil Services (Revised New pay scales) Rules, 1976 as amended upto date.

⁴⁴Substituted vide Notification G.S.R. 87 Department of Personnel (A-Gr. II)dated 09.01.2013

⁴⁵Substituted vide Notification G.S.R. 87 Department of Personnel (A-Gr. II)dated 09.01.2013

⁴⁶Added vide Notification No. F. 3(33) DOP/AII/85 dated : 8/12/99

⁴⁷10A Rajasthan Compassionate Appointment of Dependants of Deceased Government Servant Rules, 1996 as amended up to date.”

11. Any other Rules made by the appropriate authority under the proviso to Article 309 of the Constitution of India and for the time being in force.

“Provided that the powers exercisable under the aforesaid rules and orders by the Government shall be exercisable by the High Court.”⁴⁸

⁴⁷Added vide Notification No. GSR 100 DOP (A-Gr-II) Dated 07-03-2014

⁴⁸Added vide Notification No. F. 3(33) DOP/AII/85 dated : 8/12/99

"SCHEDULE-I"⁴⁹

Part-I For Lower Division Clerks (Syllabus & Rule for the Competitive Examination) (See Rule 16)

The Competitive Examination shall include the following subject and each subject will carry the number of marks shown against it:-

Section A - Written Test	Time 3 Hours	
English & Hindi		200 Marks

Section B Type writing Test on Computer	100 Marks
English Type writing or Hindi Type writing	

The standards & scope of written papers shall be as follows:

Section A: Written English and Hindi

There will be objective type Question Paper containing 200 Questions out of which 50% weightage shall be given to General Hindi and 50% to General English to test the Knowledge of subject based on the following syllabus:-

1. सामान्य हिन्दी

1. संधि और संधि विच्छेद
2. सामासिक पदों की रचना और समास विग्रह
3. उपसर्ग
4. प्रत्यय
5. पर्यायवाची शब्द
6. विपरातार्थक(विलोम) शब्द
7. अनेकार्थक शब्द
8. शब्द-युग्म
9. संज्ञा शब्दों से विशेषण बनाना
10. शब्द-शुद्धि: अशुद्ध शब्दों का शुद्धीकरण और शब्दगत अशुद्धि का कारण
11. वाक्य-शुद्धि: अशुद्ध वाक्यों का शुद्धीकरण और वाक्यगत अशुद्धि का कारण
12. वाच्य: कर्तृवाच्य, कर्मवाच्य और भाववाच्य प्रयोग
13. क्रिया: सकर्मक, अकर्मक और पूर्वकालिक क्रियाएं
14. वाक्यांश के लिये एक सार्थक शब्द
15. मुहावरे और लोकोक्तियां
16. अंग्रेजी के पारिभाषिक(तकनीकी) शब्दों के समानार्थक हिन्दी शब्द
17. सरल, संयुक्त और मिश्र अंग्रेजी वाक्यों का हिन्दी में रूपान्तरण और हिन्दी वाक्यों का अंग्रेजी में रूपान्तरण
18. कार्यालयी पत्रों से सम्बन्धित ज्ञान

2. GENERAL ENGLISH:

1. Tenses/Sequence of Tenses
2. Voice: Active and Passive
3. Narration: Direct and Indirect
4. Transformation of Sentences: Assertive to Negative, Interrogative, Exclamatory and vice-versa.
5. Use of Articles, Determiners and Prepositions
6. Translation of Simple (Ordinary/Common) Sentences from Hindi to English and Vice versa.
7. Correction of sentences including subject, verb, Agreement, Degrees of Adjectives, Connectives and words wrongly used.

⁴⁹Substituted Vide Notification No. GSR 100 DOP (A-Gr-II) Dated 07-03-2014

8. Glossary of official, Technical Terms (with their Hindi Versions)
9. Synonyms and Antonyms
10. One word substitution
11. Prefixes and suffixes.
12. Confusable words
13. Comprehension of a given passage
14. Knowledge of Official/Demi official Letters, Circular, Notices and Tenders.

Section B: Type writing Test on Computer

There will be speed test on computer.

Speed: Minimum speed should be 8000 depressions per hour on computer; Data will have to be fed in English Language or in dual language i.e. English and Hindi.

The test will be of 100 marks which will consist of speed test and efficiency test carrying 50 marks each (total 100 marks)

PART - II FOR STENOGRAPHERS

Competitive examination for the posts of Stenographers shall consist of the Subject given in two alternative Group A and B. A candidate shall be required to pass the subject group of the post applied and required to pass Group C compulsorily:-

Group - A

English Shorthand test	100 Marks
The test shall consist of dictation at 100 words per minute	

Group B

Hindi Shorthand test	100 Marks
The test shall consist of dictation at 80 words per minute	

Group C

Computer: There will be speed test on computer.

Speed: Minimum speed should be 8000 depressions per hour on computer; Data will have to be fed in English Language or in dual Language i.e. English and Hindi.

The test will be of 100 marks which will consist of speed test and efficiency test carrying 50 marks each (total 100 marks)

"SCHEDULE-II"⁵⁰
APPLICATION FORM
FORM- 'A'
FOR LOWER DIVISION CLERKS

1. Name of the candidate
(in block letters)
2. Date of Birth
3. Nationality
4. Father's name with occupation
5. Place of residence
6. Residential address with Telephone or Mobile No.
7. Gender-Male or Female
8. Marital Status- Married or Unmarried
9. No. of Children with Date of Birth
10. Educational qualifications specifying examinations passed with divisions & years
11. Name of the computer course/qualification applicants possess with the name of the institution from which such qualification acquired.
- 12.(a) Typewriting on computer
(Hindi/English) speed in depressions per hour.
(b) Whether knows typewriting on computer & shorthand both then write speed of Shorthand
13. Whether he can read & write Hindi with ease, correctness & fluency.
14. Whether the applicant has been previously or is at the time of applying, in the service of the State Government. If yes, full particulars to be given of the Department, the post held and the pay drawn & whether he has the sanction of the Head of office for making such an application, and in case he has left government Service, under what circumstances.
15. Does he belong to Scheduled Caste/Scheduled Tribe/ Other Backward Class/Special Backward Class/ Person with disability. If, so, give particulars with a Certificate from a Magistrate in support of the claim.

PHOTO ATTESTED BY GAZETTED OFFICER
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(Signature of the applicant)
with date & address

Note. 1. Date of birth shall be the date recorded in the certificate of Secondary Examination or other examination recognized by the Government as equivalent thereto.

2. The application shall be accompanied by the following certificates:-

(a) Certificates of passing the examination mentioned in para 10 above.

(b) Certificates of good character by the Principal Academic Officer of the University or College or School in which the applicant was last educated & by two responsible persons of status (not being relations) who are well acquainted with the applicant's private life & are unconnected with his University, College or School.

(c) Any other certificate of recommendation which the applicant wishes to produce.

⁵⁰Substituted Vide Notification No. GSR 100 DOP (A-Gr-II) Dated 07-03-2014

FORM - B
(FOR PERSONAL
ASSISTANT/STENOGRAPHERS.....(Hindi/English)*)

1. Name of the candidate
(in block letters)
2. Date of Birth
(in English Calendar)
3. Nationality
4. Father's name with occupation
5. Place of residence
6. Residential Address with Telephone or Mobile No.
7. Gender- Male or Female
8. Marital Status - Married or Unmarried
9. No. of Children with Date of Birth
10. Educational qualifications specifying
examinations passed with divisions
and years.
11. Whether he learnt shorthand privately
or in any educational institution.
- 12(a) Name of the computer course/qualification
applicant possess with the name of the
Institution from which such qualification
acquired.
- (b) Typewriting on computer (Hindi/English)
speed in depressions per hour.
13. Whether he knows both English & Hindi
Shorthand or only one of them
(a) Speed in English Shorthand
(b) Speed in Hindi Shorthand
14. Whether he can read & Write Hindi
With ease, corrections and fluency.
15. Whether the applicant has been previously
or is at the time of applying, in the service
of the State Government. If yes, full
Particulars to be given of the Department
the post held and the pay drawn and
whether he has the sanction of the Head
of office for making such an application,
and in case he has left government Service,
under what circumstances.
16. Does he belong to Scheduled Caste/
Scheduled Tribe/Other Backward
Class/Special Backward Class/
Person with disability. If so, give
particulars with a certificate from a
Magistrate in support of the claim.

PHOTO ATTESTED BY GAZETTED OFFICER
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(Signature of the applicant)
with date & address

*strike out whichever is not applicable.

Note:- 1 Date of birth shall be the date recorded in the certificate of Secondary Examination or other examination recognised by the Government as equivalent/hereto.

2. The application shall be accompanied by the following certificates;-

(a) Certificates of passing the examination mentioned in para 10 above

(b) Certificates of good character by the Principal Academic Officer of the University or college or School in which the applicant was last educated and by two responsible persons of status (not being relation) who are well acquainted with the applicants private life and are unconnected with his University, college or School.

(c) Any other certificate of recommendation which the applicant wishes to produce

**SCHEDULE-III
(Rule 19)**

FORM OF REGISTER SHOWING THE MARKS OF THE
CANDIDATES WHO HAVE PASSED RECRUITMENT
TEST HELD IN JUDGESHIP

YEAR.....

Serial Number	Name of the selected Candidate, his father's Name and Address	Date of birth as per Board/University	Educational qualification
1	2	3	4
Marks obtained	Whether member of Scheduled Caste/Scheduled Tribe	Remarks	
5	6	7	

SIGNATURE OF THE
DISTRICT JUDGE

**SCHEDULE IV
(See Rule 24-A)⁵¹**

**Syllabus and Instructions for the Departmental
Examinations for Munsarims and clerks.**

The Departmental Examinations for Munsarims and Clerks shall be held in the following subjects:-

FOR MUNSARIMS

Paper I- (i) General Rules (Civil), 1952.
(ii) General Rules (Criminal), 1980.

Paper II- (i) Rajasthan Service Rules, 1951.
(ii) General Financial and Accounts Rules.

FOR CLERKS

Paper I- (i) General Rules (Civil), 1952.
(ii) General Rules (Criminal), 1980.

- Each paper will be of 3 hours duration and will carry 100 marks. The minimum pass marks will be 33 in each paper.

⁵¹Substituted vide Notification No. F. 3(33) DOP/AII/85 dated : 8/12/99

2. Persons working as Munsarims will be eligible for the Munsarims examination and those working as Lower Division Clerks will be eligible for the Clerks examination.
3. All the persons working as Munsarims and Lower Division Clerks who have not passed the test on the date of issue of notice of Departmental Examinations, will be required to appear in the respective tests, unless one is exempted by the High Court on submission of an application for exemption from appearing at the test, giving sufficient reasons through the District Judge concerned alongwith his recommendation.
4. The examinations will be held every year on the date and at the time fixed by the High Court, at the headquarters of the District and Sessions Judge, who will make all the necessary arrangements according to the instructions issued by the High Court from time to time.
