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DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE
REFORMS

[Department of Personnel (A-Gr.-II)]

NOTIFICATION

Jaipur, June 4, 1977.

G. S. R. 26.—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 Animal Husbandry Subordinate Service, namely:—

THE RAJASTHAN ANIMAL HUSBANDRY SUBORDINATE
SERVICE RULES, 1977

PART-I

General

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Animal Husbandry Subordinate Service Rules, 1977.
2. They shall come into force from the date of publication in the Rajasthan Rajpatra.
2. *Definition.*—In these rules unless the context otherwise requires:—
 - (a) "Appointing Authority" means the Director of Animal Husbandry Department, Rajasthan and includes in relation to any post in the Service, such other officer or authority who may, with the approval of the Government, be specially empowered by the Director to exercise the powers and functions of the Appointing Authority;
 - (b) "Commission" means the Rajasthan Public Service Commission;
 - (c) "Committee" means the Departmental Promotion Committee referred to in rule 23;
 - (d) "Director" means the Director, Animal Husbandry Department;
 - (e) "Direct Recruitment" means recruitment made according to the procedure prescribed in Part-IV of these rules;
 - (f) "Government and State" means respectively, the Government of Rajasthan and the State of Rajasthan.

- (g) "Member of the Service" means a person appointed in a substantive capacity to a post in the Service under the provisions of these rules or the rules or orders Superseded by rule 35 and includes a probationer;
- (h) "Schedule" means the Schedule appended to these rules;
- (i) "Service" means the Rajasthan Animal Husbandry Subordinate Service;
- (j) "Substantive Appointment" means an appointment made under the provisions of these rules to a substantive vacancy after due selection, by any of the method of recruitment prescribed under these rules and includes on appointment an probation or as a probationer followed by confirmation on the completion of the probationary period;

Note—"Due selection by any method of recruitment prescribed under these rules" will include recruitment either on initial constitution of Service or in accordance with the provisions of any Rules promulgated under proviso to Article 309 of the Constitution of India, except an urgent temporary appointment, and

- (k) "Service" or "Experience" wherever prescribed in these Rules as a condition for promotion within the Service from one category to another, or to senior posts in the case of persons holding such posts in substantive capacity shall include the period for which the person has continuously worked on such posts after regular recruitment and shall also include the experience gained by officiating, temporary or *ad-hoc* appointment, if such appointment is in the regular line of promotion and was not of stop-gap or fortuitous nature or invalid under any law and does not involve supersession of any senior official except when such supersession was either due to want of prescribed academic and other qualifications, unfitness or the default of the senior official concerned or when such *ad hoc* or urgent temporary appointment was in accordance with seniority-cum merit.

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

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

PART-II

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4. *Composition and Strength of the Service* —(i) The Service shall consist of the following different sections:—

- (a) Animal Husbandry Section;
- (b) General Section; and
- (c) Fisheries Section.

The right of promotion shall be confined to each Section and no member shall be transferred from one section to another section.

- (ii) The nature of posts included in each section of the Service shall be as specified in column 2 of the Schedule.
- (iii) The strength of posts in each section of the Service shall be such as may be determined by the Government from time to time.

Provided that—

- (1) the Government may create any post, permanent or temporary from time to time, as may be found necessary and may abolish or allow to lapse any such post in the like manner without thereby entitling any person to any compensation;
- (2) the Appointing Authority may leave unfilled or hold in abeyance any post permanent or temporary, from time to time, without thereby entitling any person to any compensation.

5. *Constitution of the Service.*—The Service shall consist of:—

- (a) all persons holding substantively the posts specified in the Schedule;
- (b) all persons recruited to the Service before the commencement of these Rules; and
- (c) all persons recruited to the Service in accordance with the provisions of these Rules except those appointed under rule 25.

PART-III

Recruitment

6. *Method of Recruitment.*—(1) Subject to the provisions hereinafter contained in these rules, recruitment or appointment to posts in the service shall be made by the following methods in the proportion as indicated in Column 3 of the Schedule:—

- (a) by direct recruitment in accordance with Part IV of these rules; and
- (b) by promotion in accordance with Part V of these rules :

Provided that—

- (i) if the Appointing Authority is satisfied in consultation with the Commission, where necessary, that suitable persons are not available for appointment by either method of recruitment in the proportion so indicated in a particular year, appointment by the other method in relaxation of the prescribed proportion may be made in the same manner as specified in these rules;
- (ii) nothing in these rules shall preclude the Appointing Authority from appointing officers who were immediately before 1-11-1956, in the employment of pre-reorganisation of States of Ajmer, Bombay and Madhya Bharat to suitable posts in the Schedule in accordance with the directions governing the integration of their services; and
- (iii) the persons not covered under rule 5, who were appointed to posts included in the Schedule in an *ad hoc*/officiating/urgent temporary basis continuously in the relevant Section, for a period not less than one year on 1-1-1975 and were working as such or on higher posts or would have worked but for their temporary transfer on any ex-cadre posts, on the date these rules came into force shall be screened by a Committee referred to in rule 23, for adjudging their suitability on the posts held provided they possess the qualifications prescribed in the rules either for direct recruitment or for promotion or the prescribed qualifications on the basis of which the persons were selected for *ad hoc*/officiating/urgent temporary appointment, this provision shall be subject to the following conditions, *viz.*—

- (a) that a person appointed on *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 qualification prescribed for the post was either not given such *ad hoc* appointment *except for unfitness or non-selection or is not entitled to screening under this rule. Seniority of *ad hoc* employees for this purpose shall be according to length of continuous to a post; and
- (b) that the Committee appointed under proviso (iii) above 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 employees 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 posts being offered to him by absorption and thereupon such an 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;

Note:—The provision of screening under proviso (iii) above shall be treated to be the first step for recruitment and after exhausting the vacancies required for the screened persons, irrespective of direct recruitment and promotion quota, the direct recruitment and promotion quota shall be applied.

(2) Notwithstanding anything contained in these rules, recruitment, promotion, seniority and confirmation etc. of a person who joins the Army/Air Force/Navy during an Emergency shall be regulated by such order 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.

(3) Notwithstanding anything contained in sub-rule (1) and (2) of rule 6, a person holding a post of (i) Village Level Worker, (ii) Lady Village Level worker, (iii) Fieldman, (iv) Stock Assistant, (v)

Veterinary Compounder, (vi) Poultry Demonstrator, (vii) Dresser and (viii) Driver under the Rajasthan Panchayat Samiti and Zila Parishad Service shall be eligible for promotion to posts of the next higher category, as may be determined by the Appointing Authority in the Service, provided he fulfils the conditions laid down in these rules for appointment by promotion to these posts. The Service of the person so promoted, for the period of there holding such posts in the Rajasthan Panchayat Samiti and Zila Parishad Service, shall be counted towards seniority for the purpose of promotion in the Service in accordance with the provisions of proviso (7) to rule 30 of these rules.

7. Reservation of vacancies for the Scheduled Castes and the Scheduled Tribes.—(1) Reservation of vacancies for the Scheduled Castes and the Scheduled Tribes shall be in accordance with the orders of the Government for such reservation in force at the time of recruitment i.e. by direct recruitment and by promotion.

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

(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 for direct recruitment by the Commission for posts falling in its purview and by the Committee or by the Appointing Authority, as the case may be, in the case of promotees; irrespective of their relative rank as compared with other candidates.

(4) Appointments shall be made strictly in accordance with the rosters prescribed separately for direct recruitment and promotion. In the event of non-availability of the eligible and the suitable candidates amongst the Scheduled Castes and the Scheduled Tribes, as case may be, in a particular year, the vacancies so reserved for them shall be filled in accordance with the normal procedure and an equivalent number of additional vacancies shall be reserved in the subsequent year. Such of the vacancies which remain so unfilled shall be carried forward to the subsequent three recruitment years in total and thereafter such reservation would lapse :

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