

# Workshop on Rajasthan Contractual Hiring to Civil Posts Rules 2022

Date :03 November 2022

Time:3.00PM

# Points of discussion

- ▶ Contractual Service Rules 2014 and its drawbacks.
- ▶ The Rajasthan Contractual Hiring to Civil Posts Rules 2022 and its provisions.
- ▶ FD U.O. note dated 10.03.2022 and directions thereof.
- ▶ FD concurrence issued to various department indicating nomenclature and remunerations to the contractual persons.
- ▶ Selection procedure at the level of department and re-issuance of appointment orders.
- ▶ Timelines.
- ▶ Q and A.

# **Appointments of persons on Contract**

**FD order dated 27.06.2014**

# Appointments of persons on Contract order dated 27.06.2014

- ▶ It was a circular, not notification under proviso to article 309 of the constitution.
- ▶ No provision of open advertisement for hiring.
- ▶ No provision of any specific period of contract.
- ▶ Annual increment in remuneration was not fixed.
- ▶ Medi claim insurance reimbursement up to Rs. 500/- only.
- ▶ Limited leaves were allowed.
- ▶ Limited travel facility was allowed.
- ▶ No provision for regularization.
- ▶ No provision of compensation on termination before contract period.



# Rajasthan Contractual Hiring to Civil Posts Rules 2022

## Applicability

- ▶ Following Persons are eligible for appointment under these rules:
  - ▶ Hired through open advertisement
  - ▶ On post created by FD
  - ▶ For specific/contract period.
  - ▶ Persons should not be hired through agencies/ on job basis.
  - ▶ Qualification criteria must be fulfilled.

# Age Criteria

- ▶ The candidate must have attained the age of 21 years on 1<sup>st</sup> January next following the last date fixed for receipt of applications.
- ▶ The upper age limit for the appointment under these rule shall be 40 years
- ▶ Provided that the upper age limit mentioned above shall be relaxed by-
  - ▶ 5 years in case of male candidates belonging to the Scheduled Castes, Scheduled Tribes, Backward Classes, More Backward Classes and Economically Weaker Sections.
  - ▶ 5 years in case of women candidates belonging to General category
  - ▶ 10 years in case of woman candidates belonging to the Scheduled Castes, Scheduled Tribes, Backward Classes, More Backward Classes and Economically Weaker Sections.

# Qualifications and eligibility criteria for appointment

- ▶ The academic qualification, experience, duties, responsibilities of the post created under these rules shall be decided by the Administrative Department with the concurrence of the DoP and Finance Department.
- ▶ Above criteria for existing persons have already been approved by FD.



# Production of Medical Certificate and Character Certificate

- ▶ Personnel hired under these rules shall produce the medical certificate of fitness as may be specified by the Appointing Authority before joining the assignment.
- ▶ Personnel selected under these rules for appointment shall have to produce a character certificate issued not more than six months prior to the date of joining.
- ▶ Medical certificate and Character certificate from existing persons need not to be taken.

# Reservation

- ▶ For appointment on the posts created for contractual appointment under these rules, the provisions and rules/instructions issued by the Government, from time to time for reservation, shall be applied for the Scheduled Castes, Scheduled Tribes, Backward Classes, More Backward Classes, Economically Weaker Sections, Women and Person with Benchmark Disability etc.

## Period of contractual appointment

- ▶ On the posts created under these rules, first contractual appointment shall be made for a period up to five year or upto the expiry of the period of scheme/project whichever is earlier.
- ▶ However, if the period of the scheme/project is further extended, the State Government may take decision for renewal of contractual appointment by extending the period of contract.

# Remuneration and other facilities

- ▶ Renumeration fixed by the Finance Department.
- ▶ On completion of satisfactory service of every one year, the remuneration shall be increased by 5% rounded off to next hundred rupees.
- ▶ Re-imburement of Medi-claim Policy up to Rs. 1500/- per year and Accidental Insurance Policy up to Rs. 500/- per year
- ▶ No ad-hoc bonus shall be payable.
- ▶ TDS on income, if due, shall be deducted from the contractual remuneration.
- ▶ Contribution in New Pension Scheme (NPS) equal to 50% of the contribution deposited by the contractual person.

# Leaves

- ▶ 12 days casual leave in each calendar year, on proportional basis for full completed months (if appointed or terminated in middle of the year).
- ▶ Controlling authority can permit use of leave to accrue during a calendar year only in advance for deserving reasons.
- ▶ Un-availed leave shall stand lapsed at the end of calendar year.
- ▶ Half pay leave of 20 days for each completed year of service on medical certificate only. Unutilized half pay leave may be accumulated maximum up to 200 days.
- ▶ Maternity leave to female employee up to 180 days for two surviving children. If there is no surviving child after availing it twice, maternity leave may be granted on one more occasion.
- ▶ Payment of leave shall be made as per the rate of contractual remuneration amount paid on the day before leaves commence.

## Travelling allowance

- ▶ The person hired on contract shall be entitled to Travelling and Daily Allowance for journey performed by them in connection with the affairs of the State as per the Rajasthan Travelling Allowance Rules, 1971.
- ▶ For the purpose of Travelling Allowance the category shall be determined as per monthly lump-sum contractual remuneration.

# Other provisions

- ▶ **General conditions, ethics and observance**
- ▶ **Revoking of appointment order**
- ▶ **Compensation**
- ▶ **Termination of appointment**
- ▶ **Screening for regularization**

## Instructions issued by FD U.O. Note dated 10.3.2022, for autonomous bodies

- ▶ Adoption of the rules by concerned Governing body of the autonomous bodies.
- ▶ Applicable on persons hired through open advertisement and on sanctioned contractual posts.
- ▶ Its mandatory to get the posts created from FD( if earlier not done).
- ▶ Tenure of the posts be specifically mentioned.
- ▶ Appointment orders are to be re-issued observing above mentioned points.
- ▶ It will be a new agreement but remuneration to persons already hired shall be decided by FD.
- ▶ FD has already protected the remuneration of already hired persons.



## FD concurrence issued to various department

- ▶ FD concurrence issued to various department indicating nomenclature and minimum remunerations to the contractual employees
- ▶ Protection of existing remuneration.
- ▶ Persons hired through agencies or on job basis have not been allowed to be hired under these rules.
- ▶ It is mandatory to fulfill the criteria given in the rules including qualification and experience (where prescribed)
- ▶ Higher remuneration level and changed nomenclature to the persons who would complete 9/18 years after being appointed under these rules.

Way Ahead...

# Creation of database

- ▶ A selection committee is to be constituted by the administrative department consisting of the following:-
  1. HOD/ Appointing Authority
  2. Head of establishment wing
  3. Sr. most R.Ac.S. officer
- ▶ A database as per the given format shall be prepared by the selection Committee indicating details of each person to whom appointment is to be given:-
  - ▶ Educational Qualification
  - ▶ Transparent recruitment procedure
  - ▶ Age limit
  - ▶ No. of children
  - ▶ Caste certificate
  - ▶ Income certificate
  - ▶ Cases of moral turpitude, if any

# Issuance of Appointment Order

- ▶ On these criteria, the applicant/ person already hired shall be examined by the Selection Committee.
- ▶ If found eligible for contractual appointment under these rules, the contract appointment order shall be issued by the Appointing Authority in the prescribed Form as per Rule12.
- ▶ The above task is to be completed by 15<sup>th</sup> December 2022.

# Thank you

*In case of Any query please feel free to Contact:*

*Sh. Suresh Kumar Verma, Joint Secretary, Finance(Rules) Department @ +919414216628 OR*

*Sh. Ram Niwas Mehta, Joint Secretary, DoP(Rules) @ +919414193200*