

Model draft Recruitment Rule
Adoption of - by the Departments of
Mantralaya.

GOVERNMENT OF MAHARASHTRA
General Administration Department,
Circular No.RTR-1077/4276/XII,
Mantralaya, Mumbai -400 032.
Dated the 15 th March, 1979.

CIRCULAR OF GOVERNMENT

The Recruitment Rules for various posts under the State Government are now being expressly made under the provision to Article 309 of the Constitution of India and issued in the form of Government Notifications published in the official Gazette in accordance with the instructions issued in Government Circular, General Administration Department, No.SRV-1074/1558-D-2, dated the 7 th January, 1975. The Rules have therefore, now acquired greater legal significance than before. Though the draft notifications relating to these rules are screened by the Law and Judiciary Department before they are published in the Gazette, it was noticed that a standard phraseology is not being adopted for expressing identical or similar provisions occurring in different rules. It was also noticed that the Departments take an inordinately long time to finalise the recruitment rules for one reason or the other. In order to have uniformity of expression in respect of identical or similar provisions and with a view to finalise the Recruitment Rules quickly, it was decided to prepare a Model Draft Recruitment Rule covering all common provisions for adopting it by the Departments while framing the recruitment rule for the posts and services under them.

A draft of the Model Recruitment Rule is accordingly prepared in consultation with the Law and Judiciary Department and the Maharashtra Public Service Commission. A copy of the same is enclosed.

2. All Departments of the Mantralaya are requested to adopt the same while framing the Recruitment rule. The Law and Judiciary Department is requested to ensure that the standard phraseology is actually used when scrutinizing the draft notifications.

By order and in the name of the Governor of Maharashtra,

Sd/-
(C.A. Sarangdhar)
Under Secretary to Government.

NOTIFICATION

Department,
Mantralaya, Bombay - 400 032
Dated the -

No. : In exercise of the

Constitution of India

1. To be retained only when any rules, orders are in force and are required to be superseded power conferred by the proviso to article 309 of Constitution of India (1 and in supersession of all existing rules, orders or instruments made in this behalf) the Governor of Maharashtra is hereby pleased to make the following rule regulating recruitment to the post of 2--
2. here mention the name and class of the post. in the Directorate of 3 ----- 4-----
Department / Office of the Government of Maharashtra, namely :-
3. here mention the name of the Directorate. 1. These rules may be called the 5
(Directorate of 6 ----- / 7 -----
4. here mention the name of the Department. Department / Office Recruitment Rule 19.....
5. here mention the name of the post / or service recruitment to which is to be regulated by the rules. 2. In these rules; unless the context require otherwise,
(a) "Commission" means the Maharashtra Public Service Commission;
(b) "Degree" means a degree of a statutory university;
6. here mention the name of the Directorate (c) "8 ----- Department" means the 9 -----Department of Government;

7. here mention the name of the Department or Office (d) "Director" means the Director of 10 ----- Maharashtra State
- (e) "Directorate" means the Directorate of 11 -----
- 8-9 here mention the name of the Department concerned (f) "Government" means the Government of Maharashtra
- (g) "recognised institution" means an Institution recognised by Government;
- 10 here mention the full designation of the Director. (h) "Schedule" means Schedule appended to these rules;
- (i) "Secondary School Certificate Examination" means the Secondary School Certificate Examination conducted by a Divisional Board under the Maharashtra Secondary Education Board Act, 1965 (Mah. XLI of 1965) and includes any other examination declared by Government to be equivalent thereto;
- (j) "Secretariate Department" means any Secretariat Department of Government except the Legal Section of the Law and Judiciary Department;
- 12 here mention the post to be filled in. (3) Appointment to the post of 12 ----- in the Directorate of 13 ----- 14
- 13 here mention the name of the Directorate. (a) Department / Office shall be made either, -----
- 14 here mention the name of the Department or Office by promotion of a suitable person / on the basis of ----- seniority subject to fitness from amongst the persons holding the post of / from the cadre of
- 15 here mention the name of 15 / having a minimum service in that post /

- the cadre.
- 16 here mention the number of years.
- 17 here mention the name of post in which the minimum service is required.
- 18 here mention the number or the relevant clause.
19. here mention the cadre the incumbents of which are eligible to be transferred.
20. here mention the qualifications and / or experience required.
- 21 here mention the rank
- 22 here mention the number of relevant sub-clause
- 23 here mention the number of relevant clause
- 24 here mention
- cadre / having not less than 16 ----- years service as 17 ----- / in Directorate / Department / office & possessing qualifications and / experience prescribed for appointment by nomination in clause 18 () of this rule;
- (b) by transfer / transfer on deputation / of a suitable person from the cadre (s) of 19 ----- possessing 20 -----
- (c) by deputation of a person in the service of the Government of India / any other State Government / any local authority / Statutory Corporation / possessing the 20 ----- ; or
- (d) by re-employment of a suitable person who has ceased to be a serving member of the Armed Forces of the Union and who has held the rank of 21 ----- or an equivalent status and who possesses the qualifications mentioned in sub clause 22 () of clause 23 () of this rule; provided a period of 24 ----- year has not lapsed since his retirement or release from the Defence Services; or
- (e) by nomination from amongst candidates who, -----
- (i) unless already in the service of Government are not more than

- the number of years.
- 25 here mention the number of years.
- 26 here insert any other degree required.
- 27 here mention the minimum class required
- 28 here mention the details of subjects required.
- 29 here mention and name of examination.
- 30 here mention the division required to be obtained by the candidate
- 31 here enter the name of the diploma
- 32 here mention the position or field in which the experience is required
- 33 here mention the number of years.
- 25 ----- years of age and
- (ii) possess a degree/Master's degree/ Doctorate/in Arts, Science, Commerce, Law, 26 ----- / of a Statutory University at least in 27 ----- class / with 28 ----- as subject/
- or
- (ii) have passed 29 ----- examination preferably in 30 ----- Division;
- (ii) hold a Diploma in 31----- of any recognised Institution / or any other qualification declared by Government to be equivalent thereto;
- (iii) possess practical experience of / in 32----- / research experience of recognised merit in 32 ----- for a period of not less than / 33 ----- years / gained after acquiring the qualification mentioned in sub-clause 34----- in a responsible position in industry / or in a Government Department / or in an industrial undertaking or commercial concern / local authority / Corporation / Board established by Government.
- (iv) have though / working / adequate knowledge of 35 -----;
- (v) have the ability to plan and supervise the work of 35 -----;
- Provided that age limit / period

- 34 here mention the number of relevant clause.
- 35 here mention the details;
- 36 here mention the qualification experience or knowledge which will make the candidate eligible for preference.
- 37 here mention
- 38 the numbers
- 39 of Sub-Clause clause and rule respectively
- of experience/may be relaxed by Government on the recommendation of the Commission / the appointing authority on the recommendation of the selecting authority / in favour of candidates having exceptional qualifications or experience or both;
- Provided further that preference may be given to candidates having/ possessing / who have / possess / 36----- possessing exceptional qualifications or experience or both:
- Provided further / also that if candidates with the prescribed period of experience are not available in sufficient number those with experience of a shorter period may also be considered.
4. Notwithstanding anything contained in sub-clause 37() of clause 38 () of rule 39 () if at any stage of Selection, the Commission / Selecting authority is of the opinion that sufficient number of candidates possessing the requisite higher basic academic qualifications / experience are not available to fill up the Vacancies reserved, for candidates belonging to the Scheduled Caste, Scheduled Caste converts to Buddhism, Scheduled Tribes, Demotified Tribes or Nomadic Tribes, then the Commission / selecting authority may in the matter of such selection, relax the requirement in respect of the class in the degree diploma or other examinations / or the period of experience / or both / set out therein, and or selection of suitable

candidates belonging to such Castes or Tribes.

5. Appointments to the posts by promotion and nomination shall be made in the ratio of

or

Appointments by promotion and nomination to vacancies which are not filled by appointment by transfer / transfer on deputation / deputation shall be in the ratio of 40 -----

40 here mention the ratio of posts

or

41 here mention the percentage proposed for nomination

The posts to be filled in by nomination shall not exceed 41 ----- percent, of the posts of 42 -----

42 heremention the designation of the post of which recruitment rules are being made.

6. A person appointed to the post by nomination shall be on probation for a period of 43.----- years

43 here enter the number of years.

7. A person appointed to the post, whether by promotion / transfer / or nomination, shall be required to pass the Departmental examination and examination in Hindi and Marathi according to the rules made in that behalf, unless he has already passed, or has been exempted from passing those examinations.

8. A person appointed to the posts shall if so required be liable to serve in any Defence Service of India or a post connect with the defence of India, anywhere in or outside India for a period of four years / not less than four years (inclusive of the period spent

in training if any) on such conditions as may be determined from time to time by the Government of India:

Provided that such person shall not be required to serve as aforesaid after the expiry of ten years from the date of his appointment and ordinarily after he has attained the age of forty / forty-five years.

- 44 here mention the Class of service to which the person is liable to be transferred
- 45 If the registration is required under any other law, reference to such law should be made in lieu of the enactments mentioned herein.
- 46 here mention the name of posts,

9. A person appointed to the post shall be liable for transfer anywhere in the State of Maharashtra / on deputation / in the cadre of any ----- service.

10. A medical graduate selected for appointment to the post shall be required to get himself registered under the 45. Maharashtra Medical Council Act, 1965, before joining the post unless he has already so registered or his name is borne on the Indian Medical registrar mentioned under the (45) Indian Medical Council, 1956.

11. Notwithstanding anything contained in these rules if in the opinion of Government the exigencies of service so require, Government may, after consultation with the commission, wherever necessary make appointments to the posts of 46.

----- in relaxation of the percentage prescribed in these rules for recruitment by nomination.

By order and in the name of the Governor of Maharashtra,

Secretary to Government.