

THE BAR COUNCIL OF RAJASTHAN , JODHPUR

RULES

CHAPTER 1A

(SERVICE RULES)

PART VI A :- RULES UNDER SECTION 15(2)(K) READ WITH SECTION 11 OF THE ADVOCATES ACT, 1961

1. **SHORT TITLE AND COMMENCEMENT** : - (i) These Rules may be called as " The Bar Council of Rajasthan Service Rules, 2021".
(ii) They shall come into force from the date of receipt of approval by the Bar Council of India.

2. **STRENGTH OF POSTS** : - The strength of the posts in Bar Council of Rajasthan shall consist of the posts specified in the Schedule-I appended to these Rules.


Provided that the Executive Committee may from time to time leave unfilled or held in abeyance or abolish or allow to lapse any vacant post, permanent or temporary without thereby entitling a person to any claim, or may create any post, permanent or temporary as may be found necessary.

3. **INITIAL CONSTITUTION OF SERVICE** :- The service shall consist of:-
 - (a) All persons holding substantively the post specified in the Schedule-I; and
 - (b) All persons recruited to the service before the commencement of these Rules; and
 - (c) All persons recruited to the post in accordance with the provisions of these Rules or Rules superseded by these Rules.
4. **METHOD OF RECRUITMENT** : - The methods/mode of recruitment shall be decided by the Executive Committee as deemed fit for the respective posts at the time of recruitment.
5. **QUALIFICATION FOR APPOINTMENT**:- The qualifications for appointment to the various posts specified in the Schedule-I appended to the said rules shall be as under :-

(1) **SECRETARY** :-

- (i) The Secretary of the Bar Council of Rajasthan shall be a Law Graduate.
- (ii) He shall not be below the age of 25 years and above 50 years.
- (iii) He shall be a legal practitioner of five years standing at the Bar or a person having legal and administrative experience in any public or private office for five years.

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(2) ASSISTANT SECRETARY :- The qualification of the Assistant Secretary will be the same as that of the Secretary.

Provided that the period of standing at the bar or legal and administrative experience may be relaxed upto 2 years in appropriate case and further a Steno and/or an Accountant will be preferred.

(3) ACCOUNTANT :—

- (i). He shall be Graduate in Commerce.
- (ii) He must possess atleast 2 years experience of Accounts in any public or private office.
- (iv) He shall not be below the age of 25 years and above 40 years.

Provided that in a fit case the above qualification may be relaxed or waived in case of a person who has already been in the service of the Council and is found suitable for the job by the auditors and the Council.

(4) COMPUTER PROGRAMMER -CUM-INFORMER : -

- (i) M.C.A. or B.E. /B.Tech./M.Sc. in information technology or Computer Science or Electronics & Communications from a recognised University established by law in India or a qualification recognised as equivalent thereto by the Government.

OR

M.Tech. Degree in Information Technology or Computer Science or Electronics & Communication from a recognized University established by law in India or a qualification recognized as equivalent thereto by the Government.

OR

M.B.A. (Information Technology) from a University established by law in India or a qualification recognized as equivalent thereto by the Government.

AND

- (ii) Two Years' post qualification work experience in programming in JAVA/Dot Net/VB/J2EE in a Government Organization/ Government Undertaking/Public Limited/ Private Limited Company ;

- (iii) He shall not be below the age of 25 year and above 40 years.

Provided that in case sufficient number of candidates possessing prescribed experience are not available, the condition of experience can be relaxed by the selection committee.

(5) READER :—

Recruitment to the post of Reader shall be made by promotion on the recommendation of a Secretary by the Executive Committee adjudging the suitability of the candidates on the criteria of seniority-cum-merit from amongst the Stenographer and Office Assistant.

(6) STENOGRAPHER :-

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- (i) Candidate must be Graduate of any University established by law in India or equivalent examination from any University recognized by the UGC for the purpose;
- (ii) He must possess a knowledge of shorthand in English 80 w.p.m. and the speed in typing shall be 30 W.P.M. in English & 25 W.P.M. in Hindi.
- (iii) He must possess a certificate of 'O' Level or equivalent of Computer course from any recognized Institution.

Or

RS-CIT computer course or equivalent any computer course.

- (v) He shall not be below the age of 21 years and above 35 years.

(7) JUNIOR ACCOUNTANT CUM CASHIER:— The qualification of the Junior Accountant will be the same as that of the Accountant.

(8) SENIOR OFFICE ASSISTANT (UDC) :- Recruitment to the post of Senior Office Assistant shall be made by promotion on the recommendation of a Secretary by the Executive Committee adjudging the suitability of the candidates on the criteria of seniority-cum-merit from amongst the Office Assistant.

(9) OFFICE ASSISTANT (LDC) :-

- (i) He must be Graduate of any University established by law in India or equivalent examination from any University recognized by the UGC for the purpose;
- (ii) He must possess a knowledge of typewriting and the speed in typing shall be 30 W.P.M. in English & 25 W.P.M. in Hindi.
- (iii) He must possess a certificate of 'O' Level or equivalent of Computer course from any recognized Institution.

Or

RS-CIT computer course or equivalent any computer course.

- (vi) He shall not be below the age of 21 years and above 35 years.


(10) OFFICE ATTENDANT (CLASS IV) :-

- (i) The candidate must have passed Senior Secondary Examination from the Board of Secondary Education, Rajasthan or any other Board recognized by the Government.
- (ii) Must possessing working knowledge of Hindi written in Devnagri script and knowledge of Rajasthani culture.
- (i) He shall not be below the age of 21 years and above 50 years.

6. AGE : In case of direct recruitment, the age shall be considered from the 1st day of January next following the last date fixed for receipt of applications.

Provided that the upper age limit mentioned above may be relaxed in case of particular category or individual cases in exceptional circumstances by the Executive Committee.

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7. **DISQUALIFICATION FOR APPOINTMENT:-** No candidate shall be eligible for appointment, if he has more than two children on/or after the date of commencement of these rules.
8. The Executive Committee shall constitute a selection committee from amongst the members for direct recruitment on the posts. The said committee shall make the recommendation for appointment of selected candidate/(s) after following due procedure of recruitment.
9. **PROCEDURE FOR DIRECT RECRUITMENT:-** The following procedure shall be followed for direct recruitment to any post.
- (i) Applications for direct recruitment to posts in the service shall be invited by the office of the Bar Council by advertising the vacancy to be filled in the local newspaper as well as official website of Bar Council of Rajasthan.
 - (ii) The application shall be made in the form prescribed by the secretary.
 - (iii) A candidate for direct recruitment to any post shall pay such examination fee and in such manner as may be prescribed by the Selection Committee from time to time.
 - (iv) The selection committee shall scrutinize the applications received by office and shall hold the examination/interview as the case may be.
 - (v) The Selection Committee shall prepare a list of the candidates selected after examination/interview as the case may be in order of merit and forward the same to the Executive Committee.
- Note : The Committee may also co-opt a technical person to adjudge suitability of candidates for particular post or category of posts.
- (vi) The Executive Committee shall select the candidates, who stand highest in order of merit in the list prepared by the selection committee provided that committee is satisfied after such enquiry as may be considered necessary that such candidate is suitable in all other respect for appointment to the post.
10. **APPOINTMENT BY PROMOTION:** The appointment to post to be filled by promotion shall be made by the Executive Committee by promotion from amongst persons holding junior posts in the office subject to suitability.
11. **SENIORITY:-** Seniority in service shall be determined from the date of substantive appointment on the post.
12. **PAY DURING PROBATION:** The initial pay of a person appointed by direct recruitment to a post in the service shall be the minimum of the scale of pay of the post.

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13. SCALE OF PAY: The scale of pay admissible to the employees of the Bar Council shall be such as shown in Schedule-I of these Rules or as may be revised from time to time.
14. SUSPENSION : The Executive Committee or subject to any order of the Executive Committee, the Secretary may place an employee under suspension :
 (a) Where a disciplinary proceeding against him is contemplated or is pending ; or
 (b) Where a case against him in respect of any criminal offence is under investigation or trial.
15. REGULATION OF PAY, ALLOWANCE & LEAVE ETC. Except as provided in these Rules, the pay, allowances, leave and other conditions of service of the employees of the Bar Council shall be same as applicable to the employee of State Government of that cadre or other rules prescribing general condition of service.
16. CANVASSING : No recommendation for direct recruitment either written or oral other than that required under these rules shall be taken into consideration. Any attempt on the part of a candidate to enlist support directly or indirectly for his/her candidature by any means may disqualify him/her for recruitment.
17. The increment and pay scale specified in Schedule of Pay Matrix of State Government Servants shall be applicable for the employees of the Bar Council as well.
18. The employees of Bar Council shall be entitled to draw Dearness Allowance equivalent to the State Government Employees and shall be entitled for such enhanced D.A. as may be announced by the State Government from time to time on basis pay.
 (Note : State Government has permitted Dearness Allowance @ 17% on the basic pay to his employees)
19. The employees shall be entitled for H.R.A. as applicable to the employees of State Government
 (Note : State Government has permitted House Rent Allowance @ 16% on the basic pay to his employees)
20. The employees shall be entitled for monthly Conveyance Expenses as follows :-

	Conv. Expenses
I. Secretary	500
II. Assistant Secretary	450
III. Accountant cum Head Clerk	400
IV. Computer Programmer cum Informer	400
V. Reader	400
VI. Stenographer	350
VII. Junior Accountant cum Cashier	350

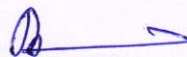
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VIII. Sr. Office Assistant (UDC)	350
IX. Office Assistant (LDC)	300
X. Office Attendant (Peon)	200

21. The employee shall be eligible for provident fund contribution at the rate of 11% of his pay.
22. The Executive Committee shall have power to select or approve the selection of employees other than temporary ministerial and class IV employees and to hear appeals against the decision of the Secretary regarding appointment, Promotion, Punishment of such employees.
23. Duties of the Secretary :
- (ii) Secretary of the Bar Council may be Honorary or Stipendiary.
 - (iii) The duty of the Secretary shall be as under :
 - (a) To conduct the official correspondence of the Bar Council.
 - (b) To issue all notices for convening the meeting of Bar Council, Committees and Sub Committees that may be appointed by the Bar Council or the Executive Committee.
 - (c) To record minutes of the Bar Council and Committees and Sub Committees and keep all other records of the Bar Council.
 - (d) To prepare annual report and to supervise the work of the office of the Bar Council.
 - (e) To act as a Registrar of the Disciplinary Committees appointed for holding inquiries under the Act.
 - (f) To grant certified copies of the documents of statements of witnesses on payment and to allow inspection of the record of cases pending before the Bar Council of Rajasthan.
 - (g) To appoint and remove part time employee with the approval of the Chairman.
 - (h) To appoint temporary ministerial employee in accordance with the Selection or approval by the Chairman, and to appoint or promote permanent employees in according with the Selection or approval made by the Executive Committee.
 - (i) To suspend, censure etc. as per Rule 14 & 35 of these rules.
 - (j) To act unless otherwise provided, as the Secretary of the any other committee or sub-committee that may be appointed/constituted by the Bar Council from time to time.
 - (k) To be the custodian of record, library, common seal and such other property of the Bar Council it might possess from time to time.
 - (l) To perform such other duties as may be from time to time prescribed by the Bar Council and to render such assistance as may be desired by the Chairman of the Bar Council.

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- (m) To operate the account of the Bar Council along with the Chairman or Vice-Chairman or a member of the Executive Committee nominated by the such committee.

24. Duties of Accountant

- (a) To keep complete and correct accounts with necessary vouchers and books.
 - (b) To prepare budget and annual and other statements of Accounts and /or such other statements or estimates for submission to the Executive Committee.
 - (c) To recovery any deposit and/or monies for and on behalf of the Bar Council.
 - (d) To pass all accounts, make necessary payments and give receipts for and on behalf of the Bar Council.
 - (e) To see that no expenses are incurred which have not been duly sanctioned by the Executive Committee or the Bar Council as the case may be.
 - (f) Generally, the Accountant shall have control of the finance of the Bar Council and he shall ordinarily act under the direction of the Secretary.
 - (g) The accountant shall also discharge such additional work of the Council as may be entrusted to him by the Secretary.
25. The Junior Accountant shall assistant the Accountant in his work and also discharge all such work of the Council as may be entrusted to him by the Secretary.
26. The Executive Committee of the Bar Council shall from time to time decide about any increase in the strength of permanent employee to be employed during the year.
27. The Chairman may decide about employment of temporary employee whenever necessary on the recommendation of the Secretary.
- Provided a person appointed under this rule shall not be regarded as a probationer holding the post nor such appointment shall confer upon him any right to claim appointment to such post on regular basis unless he is selected for the regular appointment under these Rules.
28. The Office Assistant cum clerk shall perform such duties as are assigned to him by his superior in office.
29. The entire employees of the Bar Council shall be under the direct supervision and control of the secretary and the Executive Committee. The Secretary shall be the Chief Executive and the head of office.
30. Every employee will retire at the age of 60 years except the Secretary, who will retire at the age of 62 years provided that the Bar Council may extend the term by period not exceeding two years in the first instance and further two years by one year each time if it thinks fit.

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31. All the employees appointed under these rules will be on probation of six months. Provide that the Executive Committee may relax, reduce or increase the probation period for reasons to be recorded.
32. During the period of probation the appointing authorities may discharge any of its employees without assigning any reasons.
33. Every employee shall after the period of his probation be confirmed or discharged if his work is not satisfactory.
34. Any time after the confirmation, the appointing authorities may terminate the service of an employee after giving him one month's notice.
35. The following penalties may, for good and sufficient reasons which shall be recorded, be imposed on an employee :-
 - (i) Censure,
 - (ii) With-holding increments.
 - (iii) Refusal of payment of provident fund contribution made by the Bar Council in part or whole.
 - (iv) Recovery from pay of the whole or part of any pecuniary loss caused to the Bar Council by the negligence or breach of any law, rule or order;
 - (v) Reduction to a lower service or grade; and
 - (vi) Compulsory retirement.
 - (vii) Removal or dismissal from services.

Provided that stoppage of an employee at the efficiency Bar in his pay scale or grade on the ground of his unfitness to cross the Bar or termination of the service of an employee appointed temporarily until further orders on the ground that his service are no longer required or of an employee employed under agreement in accordance with the terms and such agreement shall not amount to a punishment within the meaning of these rules.

36. Penalties mentioned in Rule 35(i) & (ii) may be imposed for habitual late coming, absence from duty without leave or permission or without sufficient cause during working hours, refusal to work assigned, sleeping during working hours, committing nuisance in the office or the council, indiscipline and breach of any standing instructions, after obtaining the explanation of the employee.
37. Penalties mentioned in the Rules 35(iii) to (iv) shall not be imposed on any employee unless a notice has been given to show cause against an action proposed to be taken against him and such inquiry as Executive Committee may deem fit, has been made.

These penalties may be imposed in case an employee is convicted by a court of law for an offence involving moral turpitude or

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theft, fraud or dishonesty is observed in his taking bribe or any illegal gratification or in case of gross misbehavior or disobedience of a lawful order by his superior, disclosing any information from the office to an unauthorized person or in case an employee is punished three times by penalties mentioned in 35 (i) & (ii) above.

38. No employee of the Bar Council shall resign without giving one month's notice to the Bar Council.
39. The decision of the Executive Committee in all cases except in that of the Secretary shall be final.
40. The Executive Committee will have power to suspend the Secretary for any reasonable cause until the Bar Council takes a decision in that regard.
41. Every employee of the Bar Council shall upon confirmation be entitled to the benefits of the Provident Fund to which he shall subscribe.
42. In any year, the payment of provident fund amounts shall be made after the account has been verified by the auditors.
43. An employee of the Bar Council may be allowed to enjoy during a calendar year 15 days casual leave and 15 days privilege leave with full pay. The maximum 300 privilege leave may be accumulated in account of an employee.

Provided that an employee can surrender his accumulated privilege leave once in a year against cash payment of salary for a period not exceeding half of his accumulated privilege leave and for such calculation one month shall be of 30 days.
44. An employee shall ordinarily be eligible for ten days medical leave on full pay and further ten days medical leave on half pay for each completed year of service for which medical certificate from a medical officer who is or has been a Gazetted Officer shall be produced. However, such accumulation of leave will not be more than three years. Provided that the Executive Committee may grant medical leave on half pay for a longer period in any appropriate case.
45. The Chairman may permit C.L. to be combined with any other leave.
46. Extra ordinary leave where no other is due may be granted to any employee at the direction of the Executive Committee on such terms as it may decide in each particular case.
47. No employee of the Bar Council shall engage himself in any trade, business or profession, nor shall employ himself in any other service or pursue any regular studies in a school, college or University or to appear at any board or University Examination

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without written permission of the Chairman obtained six months before the date of examination.

48. An employee of the Bar Council who has completed one year of service shall be entitled to Medical Expenses for himself, his wife and children, dependent on him at the fixed rate of Rs. 500/- per month.

Provided that the Executive Committee, Aid for an employee in case of hospitalization and on production of necessary proof about his expenses.

Note :- The word hospitalization occurring in this rule shall include serious ailment & operation.

49. TRAVELLING ALLOWANCE : The employee of the Bar Council shall be paid Travelling and Daily Allowance at the following rates :

- (i) Secretary/Assistant Secretary : Two Second AC Class fares to the place of destination from Jodhpur and Rs. 750/- per day for the days spent outside Jodhpur.
- (ii) All other employees shall get two second class fares and sleeper coach reservation charges to the place of destination from Jodhpur and Daily Allowance as follows :-

I. Accountant cum Head Clerk	550
II. Computer Programmer cum Informer	550
III. Reader	550
IV. Stenographer	450
V. Junior Accountant cum Cashier	450
VI. Sr. Office Assistant (UDC)	450
VII. Office Assistant (LDC)	400
VIII. Office Attendant (Peon)	300

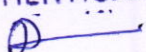
Provided that if an employee is to travel outside Rajasthan he will be entitled to double the Daily Allowance prescribed under the rules.

Fixed Conveyance charges on out station tour :-

I. Secretary	1500
II. Assistant Secretary	1500
III. Accountant cum Head Clerk	1100
IV. Computer Programmer cum Informer	1100
V. Reader	1100
VI. Stenographer	900
VII. Junior Accountant cum Cashier	900
VIII. Sr. Office Assistant (UDC)	900
IX. Office Assistant (LDC)	800
X. Office Attendant (Peon)	600

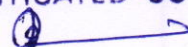
Explanation: For the purpose of Daily Allowance any fraction of time from departure to arrival back for a period of 8 hours shall be deemed to be a day.

50. If an employee has to travel by bus, he shall get actual fare of the journey and a Daily Allowance as prescribed.

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51. A loan may be sanctioned to an employee on such terms as the Executive Committee may decide.
52. All the employees of the Bar Council shall be subject to their contract of service, if any such orders as may be issued from time to time by the Chairman and such conditions of service as may be resolved in this behalf by the Executive Committee of the Bar Council provided that if they are repugnant to any of the rules framed and approved by the Bar Council of India, shall not prevail to the extent of such repugnancy.
53. These rules shall apply mutatis to the present employees of the Bar Council, they will be subject to such conditions as may be laid down in the order of appointment or contract of service; if any.
54. Office Discipline :
 - (a) The office time during day hours will be for 7 hours with lunch time for half an hour or six and half hours without lunch and during morning hours, it will be for five and half hours without lunch time as may be fixed. An attendance register shall be maintained accordingly.
 - (b) Except for office duty, if any, employee comes late by more than 15 minutes on any four days, the same comes late by more than one yours it will treated as Casual leave for half a day. The attendance register will be closed after 15 minutes according to office watch and the time on late coming will be entered by the Senior most member in attendance.
 - (c) An employee shall not leave the office during office hours without the permission of the secretary or the office Incharge and even for office work he must intimate the officer In-Charge.
 - (d) Every subordinate employee shall maintain a daily diary as may be directed which may be inspected which may be inspected periodically and in case the diary is not found completed in respect of at least proceeding 2 days, the members shall be liable to be marked one day's absence. The daily diary will demonstrate the performance of the employee.
 - (e) The Bar Council will observe those holidays which are observed in High Court of the Council shall be service in non-vacation department. Employees be paid cash payment of 15 days P.L. for a calendar year of service in addition to provide in the Rule 43.
 - (f) If an employee is compelled to attend on a holiday for a full or a greater part of a working day, he may be granted a compensatory holiday in the week following preferably any succeeding Tuesday. The employees concern may also opt for compensation as may be fixed.
 - (g) An employee will be compelled to attend on a holiday only on account of the meetings of the Council or any of the Committee or in exceptional times and circumstances such as Bar Council Election and other functions.

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- (h) No employee of the Bar Council shall meet the office bearers of the Bar Council shall regarding office affairs without the permission of the Secretary and letters or representation, if any, should be addressed to the Secretary and no advance copy will be sent to any member of the Council and in such cases the Secretary shall place the same before the authorities along with his comments within a period of 15 working days and inform the employee concerned.

Provided that in case the communication of forwarding by the Secretary is not received by the employee within 20 days, it shall be open to him to report the matter directly to the authorities.

- (i) No employee shall intimate to any one any draft or proposal nor any record of the Council shall be shown or contents communicated to any except with the permission of the secretary in accordance with the rules.

55. The Council shall maintain a Service Book for every employee for entries in the superiors. An adverse entry will be communicated to the employee which shall be appealable within 30 days thereafter.

56. Employee recruited for the purpose of the Rajasthan Advocates Welfare Fund and Bar Council of India Advocates Welfare Fund for the State of Rajasthan shall be deemed to be employee of the Bar Council of Rajasthan and these rules shall be applicable to such employees as well.

Provided that the salary of such employees shall be drawn/ provided from the respective funds.

57. OTHER CONDITIONS OF SERVICE.—(1) Subject to these rule, the rules and orders for the time being in force and applicable to the servants of corresponding classes in the service of the Government of Rajasthan shall regulate the conditions of service of employees of the Bar Council of Rajasthan.

(2) If any question arises as to which rules and orders are applicable to the case of any employee of the Bar Council, it shall be decided by the Executive Committee.

58. REMOVAL OF DOUBTS – If any doubt arises relating to the application, interpretation and scope of these rules it shall be referred to the Executive Committee whose decision there on shall be final.

59. POWER TO RELAX THE RULES:— In exceptional cases where the Bar Council/Executive Committee is satisfied that operation of the any rule of these Rules, causes undue hardship may by resolution dispensed with or relax the relevant provision of these rules to such extent.

60. REPEAL AND SAVING.— The existing Service Rules of the Bar Council of Rajasthan and all orders in relation to matters covered

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by these Rules and in force immediately before commencement of 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.

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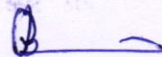
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SCHEDULE-I

RULE 13 OF THE BAR COUNCIL OF RAJASTHAN SERVICE RULES, 2021

S. No.	Name of Post	No. of Post	Pay Matrix	Level in Pay Matrix
1	Secretary	1	56100-98400	L-14
2	Assistant Secretary	1	37800-66300	L-11
3	Accountant -cum - Head Clerk	1	33800-59100	L-10
4	Computer Programmer - cum - Informer	1	33800-59100	L-10
5	Reader	1	33800-59100	L-10
6	Junior Accountant - cum- Cashier	1	26300-46100	L-8
7	Stenographer	1	26300-46100	L-8
8	Sr. Office Assistant (UDC)	4	26300-46100	L-8
9	Office Assistant (LDC)	15	20800-36400	L-5
10	Office Attendant (Class IV)	7	17700-31100	L-1

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