

**THE RAJASTHAN PUBLIC SERVICE COMMISSION
(REGULATION AND VALIDATION OF PROCEDURE)
ACT, 1975.**

(Act No. 5 of 1976)

(Received the assent of the Governor on the 4th day of February, 1976)
February, 1976

An

Act

To provide for the regulation of the procedure of the Rajasthan Public Service Commission and Validation of matters connected therewith.

Be it enacted by the Rajasthan State Legislature in the Twenty-seventh year of the Republic of India as follows:-

1. **Short title and commencement:-** (1) This Act may be called the Rajasthan Public Service Commission (Regulation and Validation of Procedure) Act. 1976.
- (2) It shall be deemed to have come into force on the 26th day of January, 1950. 2. **Definitions:-** In this Act, unless the subject otherwise requires:-
 - (a) “Commission” means the Rajasthan Public Service Commission; and
 - (b) “Jurisdiction” with reference to the Commission means the powers, duties and functions of the Commission under the constitution or any rules made under Article 309 thereof or under any law for the time being in force.
3. **Procedure of the Commission:-** (1) The Chairman, one or more of the members or all the members of the Commission may, jointly or severally, exercise the jurisdiction of the Commission.
 - (2) The jurisdiction of the Commission may be exercised as provided in subsection (1), by holding competitive

examinations, interviews, viva voce tests and in such other manner as may be considered proper in each case or generally.

- (3) The Chairman of the Commission may, from time to time, distribute the business of the Commission and may, in doing so:-
 - (i) Nominate one or more of the members to exercise singly or jointly the jurisdiction of the Commission in relation to a case or class of cases or generally and
 - (ii) Direct the case or class of cases in which the jurisdiction of the Commission shall be exercised by all the members and himself jointly or by himself singly, or jointly with such one or more of the members as may be specified in the order.
- 4. *Validation of certain actions of the Commission:-* Notwithstanding anything contained in any judgement, decree or order of any court in any law for the time being in force and notwithstanding any want or defect of representation of the Commission or in the constitution thereof-
 - (a) All things done, action taken, including examinations or selections held, recommendation made, and consultation or advice given by the Chairman or any one or more of the members of the Commission in the exercise of the jurisdiction of the Commission shall be and shall be deemed always to have been as valid and effective as if such things were done, actions were taken, examinations or selection were held, recommendation was made and consultation or advice was given by all the members of the Commission including the Chairman; and

- (b) No action taken, thing done, including examination or selection held, recommendation made, consultation or advice given, by the Chairman or any one or more members of the commission jointly or severally, shall be called in questions in any court merely on the ground that all the members of the Commission did not act in taking the action doing the thing, holding the examination or selection, making the recommendation or in giving the consultation and the advice.
5. *Repeal and saving:-* (1) The Rajasthan Public Service Commission (Regulations and Validation of Procedure) Ordinance, 1975 (Rajasthan Ordinance 16 of 1975) is hereby repealed.
- (2) Notwithstanding such repeal, all things done, action taken, including examination or selection held, recommendations made, consultation or advice given by the Chairman or any one or more of the members of the Commission, jointly or severally, under or according to the said Ordinance shall be deemed to have been taken by them under or according to this Act.

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Principal Secretary to the Government