

Irrigation Department, Uttaranchal Service of Ministerial Cadre (Group 'C') Rules, 2003

UTTARAKHAND

India

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Rule

IRRIGATION-DEPARTMENT-UTTARANCHAL-SERVICE-OF-MINISTERIAL-CADRE (Group 'C') Rules, 2003

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Irrigation Department, Uttaranchal Service of Ministerial Cadre (Group 'C') Rules, 2003Published vide Notification No. 165/9-1-Sin/2003, dated 30th March, 2003In exercise of the powers conferred by the provision to Article 309 of the Constitution and in supersession of all existing rules and orders on the subject, the Governor is pleased to make the following rules regulating recruitment and conditions of service of persons appointed to the Irrigation Department Uttaranchal Service of Ministerial Cadre :

Part I – General

1. Short title and commencement.

(1)These rules may be called the Irrigation Department, Uttaranchal Service of Ministerial Cadre (Group 'C') Rules, 2003.(2)They shall come into force at once.

2. Status of the Service.

- The Irrigation Department Uttaranchal Service of Ministerial Cadre is a State service comprising Group 'C' posts.

3. Definitions.

- In these rules, unless there is anything repugnant in the subject or context,-(a)"Appointing Authority" means the an officer fully authorised by the Competent Authority to make such an appointment;(b)"Citizen of India" means a person who is or is deemed to be a citizen of India under Part II of the Constitution;(c)"Committee" means such a Selection Committee formed by the Competent Authority;(d)"Constitution" means the Constitution of India;(e)"Government" means the State Government of Uttaranchal;(f)"Governor" means the Governor of Uttaranchal;(g)"Member of the Service" means a person substantively appointed under these rules or the rules or orders in force prior to the commencement of These rules to a post in the respective cadre of the Service;(h)"Service" means the Uttaranchal Service of Ministerial Cadre (Irrigation Department);(i)"Substantive appointment" means an appointment, not being an ad hoc appointment on a post, in the cadre of the Service, made after selection in accordance with the rules and if there were no rules in accordance with the procedure prescribed for the time being by executive instructions issued by the Government;(j)"Year of recruitment" means a period of twelve months commencing from the first day of July of a calender year;(k)"Circle" means the office of Superintending Engineer of Irrigation Department; and(l)"Division" means the office of Executive Engineer of Irrigation Department.

Part II – Cadre

4. Cadre of the Service.

(1)There shall be three Cadres of the Service-(A)Chief Engineer's Office Cadre;(B)Circle Office Cadre;(C)Divisional Office Cadre.(2)The strength of the Service in each cadre and number of posts of various categories therein shall be such as may be determined by the Government from time to time.(3)The strength of the Service in each cadre and number of posts of various categories therein shall, until orders varying the same are passed under sub-rule (1), be as given in Appendix :Provided that-(i)the Governor may leave unfilled or may hold in abeyance any vacant post, without thereby entitling any person to compensation;(ii)the Governor may create such additional permanent or temporary post as he may consider proper.

Part III – Recruitment

5. Source of recruitment.

- Recruitment to the post of Junior Clerk in the Service shall be so arranged that-(1)80% posts are filled in by inviting the application directly from the candidates who are enrolled in District Employment Exchange of Uttaranchal;(2)15% post are filled in by promotion from Class 'D' employees of Irrigation Department, who possess the academic qualification of High School or equivalent and are otherwise eligible;(3)5% posts are filled in by promotion from Class 'D' employees of Irrigation Department, who possess the academic qualification of Intermediate or 10+2 examination or equivalent and are otherwise eligible; and(4)Rest of the posts of Service shall

be filled in by promotion from the sources specified in Column 5 of the Appendix.

6. Reservation.

- Reservation for the candidates belonging to the Scheduled Castes, Scheduled Tribes, and other categories shall be in accordance with the orders of the Government, in force at the time of the recruitment.

Part IV – Qualifications

7. Nationality.

- A candidate for direct recruitment to a post in the Service must be-(a)a citizen of India; or(b)a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India; or(c)A person of Indian origin has migrated from Pakistan, Burma, Sri Lanka or any of the East African countries of Kenya, Uganda and the United Republic of Tanzania (formerly Tanganyika and Zanzibar) with the intention of permanently settling in India :Provided that a candidate belonging to category (b) or (c) above must be a person in whose favour a certificate of eligibility has been issued by the State Government:Provided further that a candidate belonging to category (b) will also be required to obtain a certificate of eligibility granted by the Deputy Inspector General of Police, Intelligence Branch, Uttaranchal:Provided also that if a candidate belongs to category (c) above, no certificate of eligibility will be issued for a period of more than one year and the retention of such a candidate in Service beyond a period of one year, shall be subject to his acquiring Indian citizenship.Note. - A candidate in whose case a certificate of eligibility is necessary but the same has neither been issued nor refused, may be admitted to an examination or interview and he may also be provisionally appointed, subject to the necessary certificate, being obtained by him or issued in his favour.

8. Academic qualification.

(1)A candidate for direct recruitment to the post of Junior Clerk must possess a minimum academic qualification of Intermediate or 10+2 or equivalent.(2)The candidate should have a minimum speed of typing in Hindi (Devnagari Script) of 25 words per minute.

9. Preferential qualification.

(1)The candidate having knowledge of English typing/Computer operating shall be given preference having other qualification equal.(2)A candidate who has served in the territorial army for a minimum period of two years, or obtained a "B" certificate of National Cadet Corps shall, other things being equal, be given preference to the matter of direct recruitment.

10. Age.

(1) A candidate for direct recruitment must have attained the age of 21 years and must not have attained the age of more than 35 years on the first day of July of the calendar year in which vacancies for direct recruitment are advertised by the Department: Provided that the upper age limit in the case of candidates belonging to the Scheduled Castes, Scheduled Tribes and such other categories as may be notified by the Government from time to time shall be greater by such number of years, as may be specified. (2) Any such departmental candidate who applies for the direct recruitment to post of Junior Clerk shall be given relaxation in age equal to the period of his Service completed.

11. Character.

- The character of a candidate for direct recruitment to a post in the Service must be such as to render him suitable in all respects for employment in Government service. Note. - Persons dismissed by the Union Government or State Government or by a Local Authority or a Corporation or Body owned or controlled by the Union Government or State Government shall be ineligible for appointment to any post in the Service. Persons convicted of an offence involving moral turpitude shall also be ineligible.

12. Marital status.

- A male candidate who has more than one wife living or a female candidate who has married a man already having a wife living shall not be eligible for appointment to a post in the Service : Provided that the State Government may, if satisfied that there exist special grounds for doing so, exempt any person from the operation for the rule.

13. Physical fitness.

- No candidate shall be appointed to a post in the Service unless he be in good mental and bodily health and free from any physical defect likely to interfere with the efficient performance of his duties. Before a candidate is finally approved for appointment, he shall be required a fitness certificate from Chief Medical Officer : Provided that a Medical Certificate of fitness shall not be required from a candidate recruited by promotion.

Part V – Procedure for Recruitment

14. Date of determination of vacancies.

- The Appointing Authority shall determine the number of vacancies to be filled during the course of the year as also the number of vacancies to be reserved for a candidate belonging to Scheduled Castes/Scheduled Tribes and other categories under Rule 6.

15. Procedure for direct recruitment.

(1) In order to fill in the vacancies of Junior Clerk under the Service, the Head of the department shall constitute a Committee as follows, for conducting competitive examination/interview of the candidate:

- | | |
|--|--------------|
| (A) Superintending Engineer (Karmik) | ... Chairman |
| (B) Executive Engineer | ... Member |
| (C) An Officer belonging to Scheduled Caste/Tribes | ... Member |

(2) For direct recruitment the Chairman of the Committee shall invite the applications, by publishing the advertisement in the newspapers, from such candidates whose names are enrolled in the office of District Employment Exchange of Uttaranchal. (3) If recruitments are to be made by promotion of the employees of Class "D" of Irrigation Department under sub-clauses (5), (2) and (3) the Chairman of the Committee shall invite the applications through proper channel from the eligible candidates. (4) The Committee shall conduct written test/interview of the candidates belonging to sub-clauses (2) and (3) above separately in the following subjects :

- | | |
|-----------------------|--------------|
| (A) General Knowledge | ... 15 Marks |
| (B) Hindi Drafting | ... 15 Marks |
| (C) Hindi Typing | ... 15 Marks |
| (D) Interview | ... 05 Marks |
| Total | ... 50 Marks |

(5) The Committee shall prepare a list in the order of merit according to the marks obtained by the candidates in written test and interview and submit the list to the Head of Department keeping the number of candidates equal to the vacancies. In case of two or more candidates obtaining equal marks in total, the name of the candidate obtaining more marks in written test shall be kept at higher merit in the list.

16. Procedure for recruitment by promotion.

(1) For the recruitment by promotion to all the posts of the Service, a Committee shall be constituted by the Head of Department as follows :

- | | |
|--|---------------|
| (i) Chief Engineer Incharge of the establishment | ... Chairman |
| (ii) Senior Staff Officer (H.O.D.) | ... Member |
| (iii) Superintending Engineer (Karmik) | ... Organizer |
| (iv) An officer belonging to the Scheduled Caste/Tribe | ... Member |

(2) The organizer shall prepare a list according to the seniority of the candidates and submit it, along with the character rolls and such other documents which are considered necessary to the Selection Committee for considering the promotion. (3) The Committee shall consider the names according to the documents submitted under sub-clause (2) above and select the candidates for promotion on the basis of seniority subject to rejection of unfit. (4) The Committee shall prepare a list of the selected candidates in accordance with the seniority and submit to the Head of Department.

17. Combined Select List.

(1) If in any year of recruitment appointments are made both by direct recruitment and by promotion, a combined select list shall be prepared by taking the names of candidates from the relevant lists in such manner that the prescribed percentage is maintained, the first name in the list being of the person appointed by promotion. (2) The persons promoted from the feeding cadre having higher pay scale, shall be senior to the persons promoted from feeding cadre having lower pay scale.

Part VI – Appointment, Probation, Confirmation and Seniority

18. Appointment.

- On the availability of vacancies for substantive post the Appointing Authority shall appoint the candidates in the following manner: (1) For new appointment the candidates appearing in the list prepared under Clause 15 (5) shall be allocated to the Chief Engineer's cadre, Circle cadre and Division cadre respectively on the basis of merit by the Head of Department. (2) The authority for appointment/promotion/posting shall be the Head of the Department in case of Chief Engineer's cadre and Circle cadre and Superintending Engineer in case of Divisional cadre. (3) Where, in any year of recruitment, appointments are to be made both by direct recruitment and by promotion, regular appointments shall not be made unless selections are made from both the sources and combined list is prepared in accordance with Rule 17 above. (4) If more than one order of appointment are issued in respect of any one selection, a combined order shall also be issued, mentioning the names of the persons in order of seniority as determined in the selection or as it stood in the cadre from which they are promoted, as the case may be. If the appointments are made both by direct recruitment and by promotion, names shall be arranged in accordance with the cyclic order referred to in Rule 17 above.

19. Probation.

(1) A person substantively appointed to a post in the Service shall be placed on probation for a period of one year. (2) The Appointing Authority may for reasons to be recorded extend the period of probation in individual cases specifying the date up to which the extension is granted : Provided that in exceptional circumstances, the period of probation shall not be extended beyond one year and in no circumstances beyond two years. (3) If it appears to the Appointing Authority at any time during or at the end of the period of probation or extended period of probation, that a probationer has not made sufficient use of his opportunities or has otherwise not given satisfaction, he may be reverted to substantive post, if any, and if he is not holding a lien on any post, his services may be dispensed with. (4) A probationer who is revolved or whose services are dispensed with under sub-rule (3), shall not be entitled to any compensation.

20. Confirmation.

- A probationer shall be confirmed in his appointment at the end of the period of probation or the extended period of probation if-(a)his work and conduct is reported to be satisfactory;(b)his integrity is certified; and(c)the Appointing Authority is satisfied that he is otherwise fit for confirmation.

21. Seniority.

- The Seniority of persons substantively appointed in any category of posts shall be determined in accordance with the Government Servant Seniority Rules, as amended from time to time.

Part VII – Pay etc.

22. Scales of pay.

(1)The scales of pay admissible to a person appointed to a post in the cadre of the Service shall be such as may be determined by the Government from time to time.(2)The scales of pay prevailing at the beginning of these rules are shown in Appendix.

23. Pay during probation.

- Notwithstanding any provision in the Rules to the contrary, a person on probation, if he is not already in permanent Government Service, shall be allowed his first increment in the time scale when he has completed one year of satisfactory Service :Provided that, if the period of probation is extended on account of failure to give satisfaction, such extension shall not count for increment, unless the Appointing Authority directs otherwise.

Part VIII – Other Provisions

24. Canvassing.

- No recommendations, either written or oral, other than those required under the rules applicable to the post or Service, will be taken into consideration. Any attempt on the part of a candidate to enlist support directly or indirectly for his candidature will disqualify him for appointment.

25. Regulation of other matters.

- In regard to the matters not specifically covered by those rules or special orders, persons appointed to the Service shall be governed by the rules, regulations and orders applicable generally to Government Servants serving in connection with the affairs of the State.

26. Relaxation from the conditions of Service.

- Where the State Government is satisfied that the operation of any rule, regulating the conditions of Service of persons appointed to the Service causes undue hardship in any particular case, it may in consultation with Commission notwithstanding anything contained in the rules applicable to the case, by order dispensed with or relax the requirement of that rule, to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner.

27. Savings.

- Nothing in these rules shall affect reservation and other concessions required to be provided for the candidates belonging to the Scheduled Castes, Scheduled Tribes and other special categories of persons in accordance with the orders of the Government issued from time to time in this regard. Appendix [See Rules 4(3), 5(3) and 22(2)]

Sl. No.	Name of post	No. of Posts	Pay scale	Source of Recruitment
1	2	3	4	5
1.	Junior Clerk			
	A-Divisional Office Cadre	241	3,050-4,590	As per part 3, Clause 5.
	B-Circle Office cadre	48		
	C-Chief Engineer Office Cadre	20		
2.	Senior Clerk			
	A-Divisional Office Cadre	236	4,000-6,000	By promotion on seniority, subject to rejection of unfit, of such junior Clerk who has completed 5 years of Service irrespective cadre.
	B-Circle Office Cadre	48		
	C-Chief Engineer Office Cadre	22		
3.	Senior Assistant			
	A-Divisional Office Cadre	84	4,500-7,000	By promotion on seniority, subject to rejection of unfit, of such Senior Clerk who has completed the 10 year of Service irrespective cadre.
	B-Circle Office Cadre	37		
		22		

	C-Chief Engineer Office Cadre			
4.	Head Clerk			
	(For Divisional Office)	41	5,000-8,000	By promotion on seniority, subject to rejection of unfit, of such Senior Assistant who has completed 15 years of Service in respective cadre.
5.	Office Superintendent			
	A-Circle Office Cadre	13	5,000-8,000	By promotion on seniority, subject to rejection of unfit, of such Senior Assistant who has completed the 15 years of service in respective cadre.
	B-Chief Engineer Office Cadre	7		
6.	Administrative Officer			
	(For Chief Engineer Office)	5	5,500-9,000	By promotion on seniority, subject to rejection of unfit, of such Office Superintendent of Chief Engineer cadre who has completed 20 years Service.