

The U.P. Government Department Driver's Service Rules, 1993

UTTAR PRADESH

India

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Rule

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Part I – General

1. Short title and commencement.

(1)These rules may be called the Uttar Pradesh Government Department Driver's Service Rules, 1993.(2)They shall come into force at once.

2. Status of the Service.

- The service of Drivers in a Government Department or office comprises Group C posts.

3. Application of these rules.

- These rules shall apply to Driver's in a Government department or the office under the rule making power of the Government under the provision to Article 309 of the Constitution.

4. Overriding effect.

- These rules shall have effect notwithstanding anything to the contrary contained in any other rules made by the Governor under provision to Article 309 of the Constitution, or orders, for the time

being in force.

5. Definitions.

- In these rules unless there is anything repugnant in the subject or context-(a)"appointing authority" means an authority empowered to makes appointment to a post of Driver in a Government Department or office, under relevant Service Rules or executive instruction, as the case may be;(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)"Constitution" means the Constitution of India;(d)"Government" means the Government of Uttar Pradesh;(e)"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 cadre of the service;(f)"service" means the Service of Drivers in a Government Department or office, constituted under relevant service rules or executive instructions, as the case may be;(g)"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 are no rules, in accordance with the procedure prescribed for the time being by executive instructions issued by the Government;(h)"year of recruitment" means a period of twelve months commencing from the first day of a July of a calendar year.

Part II – Cadre

6. Cadre of Service.

(1)The strength of the Service in each Government Department or office shall be such as may be determined by the Government from time to time under the relevant Service Rules or executive instructions, as the case may be.

Part III – Recruitment

7. Source of recruitment.

- Recruitment to a post in the Service shall be made by direct recruitment.

8. Reservation.

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

Part IV – Qualifications

9. 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 who 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, Uttar Pradesh: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.

10. Age.

- A candidate for direct recruitment must have attained the age of twenty-one years and must not have attained the age of more than 32 years on the first day of the year of recruitment in which vacancies are advertised or notified: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.

11. Technical and academic qualifications.

- A candidate for direct recruitment to the service must-(i)have passed class VIII examination from a recognised educational institution; and(ii)possess a valid driving licence for heavy or light vehicle, as the case may be, for a period of not less than three years preceding the date on which vacancy is notified to the employment exchange under Rule 16

12. Preferential qualification.

- A candidates who has-(i)passed High School examination of the Board of High School and Intermediate Education Uttar Pradesh;(ii)knowledge of Vehicle mechanism, or(iii)served in the Territorial Army for a minimum period of two years;shall, other things being equal be given preference in the matter of recruitment to the service.

13. Character.

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

14. 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 recruitment to the Service: Provided that the Government may if satisfied that there exist special grounds for doing so exempt any person from the operation of this rule.

15. Physical fitness.

- No person shall be appointed to service by direct recruitment 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 to the service he shall be required to produce a certificate of fitness in accordance with the rules framed under Fundamental Rule 10 contained in Chapter III of the Financial Hand Book, Volume II, Part III.

16. 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 candidates belonging to Scheduled Castes, Scheduled Tribes and other categories under Rule 8. The appointing authority shall, notify the vacancies to the Employment Exchange in accordance with the rules and orders of the Government for the time being in force, and he may also advertise the vacancies in the leading newspapers.

17. Procedure for direct recruitment.

(1) For the purpose of direct recruitment there shall be constituted a Selection Committee comprising: (i) Chairman. - Appointing authority (ii) Chairman. - An officer belonging to Scheduled Caste or Scheduled Tribes nominated by the appointing authority if the appointing authority does not belong to Scheduled Castes or Scheduled Tribes. If the appointing authority belonging to Scheduled Caste or Scheduled Tribes an officer other than belonging to Scheduled Castes or Scheduled Tribes, to be nominated by the appointing authority, (iii) Member. - Two officers nominated by the appointing authority, one of whom shall be an officer belonging to Minority Community and the other belonging to Backward Class. If such suitable officers are not available in

his department or organisation, such officer shall on the request of the appointing authority, be nominated by the District Magistrate.(iv)Member. - Regional Transport Officer of the concerned region or his nominee not below the ranks of Assistant Regional Transport Officer.(2)The applications received directly or through the employment Exchange shall be scrutinized by the appointing authority who shall call for an interview and driving test to such persons as appear qualified under these rules.(3)The Selection Committee shall, after the interview and driving test prepare a list of candidates in order of their proficiency as disclosed by the aggregate of marks obtained by them in interview and driving test. If two or more candidates obtain equal marks, the Selection Committee shall arrange their names in order of merit on the basis of their general suitability for the post. The number of the names in the list shall be larger (but not larger by more than 25 per cent) than the number of the vacancies. The Selection Committee shall forward the list to the appointing authority.

Part VI – Appointment, Probation, Confirmation and Seniority

18. Appointment.

(1)The appointing authority shall make appointment by taking the names of the candidates in the order in which they stand in the list prepared under Rule 17.(2)If more than one orders 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.

19. Probation.

(1)A person on substantive appointment to a post in the service shall be placed on probation for a period of two years.(2)The appointing authority may, for reasons to be recorded, extend the period of probation in individual cases specifying the date upto which the extension is granted:Provided that save 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 of extended period of probation that a probationer has not made sufficient use of his opportunities, or has otherwise failed to give satisfaction his services may be dispensed with.(4)A probationer 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 extended period of probation if-(i)his work and conduct are found to be satisfactory,(ii)his integrity is certified; and(iii)the appointing authority is satisfied that he is otherwise fit for confirmation.

21. Seniority.

- The seniority of persons substantively appointed to the posts of driver shall be determined in accordance with the Uttar Pradesh Government Servants Seniority Rules, 1991 as amended from time to time.

Part VII – Pay Etc.

22. Scale of pay.

- The scale of pay admissible to a person appointed to a post in the service shall be such as may be determined by the Government from time to time.

23. Pay during probation.

- Notwithstanding any provision in the Fundamental 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, and second increment after two years service when he has completed the probationary period and is also confirmed: 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.

24. Criterion for crossing efficiency bar.

- No driver shall be allowed to cross , the efficiency bar unless, his work and conduct are reported to be satisfactory and his integrity is certified.

Part VIII – Other Provisions

25. Canvassing.

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

26. Regulation of other matters.

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

27. Relaxation in 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, notwithstanding anything contained in the applicable to the case, by order, dispense with or relax the requirements 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.

28. Saving.

- Nothing in these rules shall affect reservations 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.