

The U.P. Elections Department Assistant District Election Officer Service Rules, 1992

UTTAR PRADESH

India

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Rule

THE-U-P-ELECTIONS-DEPARTMENT-ASSISTANT-DISTRICT-ELECTION of 1992

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Part I – General

1. Short title and commencement.

(1)These rules may be called the Uttar Pradesh Elections Department Assistant District Election Officer Service Rules, 1992.(2)They shall come into force at once.

2. [Status of the service. [Substituted by Notification No. 4287/17-A-I-239-91, dated April 30, 1994, published in U.P. Gazette, Part I Kha, dated 2nd July, 1994.]

- The Uttar Pradesh Assistant District Election Officer Service comprises Group 'B' posts.]

3. Definitions.

- In these rules unless there is anything repugnant in the subject or context-(a)"appointing authority" means the Chief Election Officer, Uttar Pradesh;(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)"District Election Officer" means an officer so designated or nominated for each district under Section 13-AA of the Representation of the Peoples Act, 1950;(e)"District Election Office" means the office of the District Election Officer;(f)"Government" means the State Government of Uttar Pradesh;(g)"Governor" means the Governor of Uttar Pradesh;(h)"member of the service" means a person appointed in a substantive capacity 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;(i)"substantive appointment" means an appointment not being an ad hoc appointment, or a post in the cadre of Service, and 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;(j)"service" means the Uttar Pradesh Elections Department Assistant District Election Officer Service;(k)"year of recruitment" means a period of twelve months commencing from the first day of July of a calendar year.

Part II – Cadre

4. Cadre of service.

(1)The strength of the service shall be such as may be determined by the Government from time to time;(2)The strength of the service until orders varying the same are passed under sub-rule (1) is given in Appendix :Provided that-(1)the appointing authority may, leave unfilled or the Governor may hold in abeyance any vacant post without thereby entitling any person to compensation;(2)the Governor may create such additional permanent or temporary posts as he may consider proper.

Part III – Recruitment

5. [Source of recruitment. [Substituted by Notification No. 4287/17-A--I-239-91, dated April 30, 1994, published in U.P. Gazette, Part I Kha, dated 2nd July, 1994.]

- Recruitment to the post in the service shall be made by promotion from amongst substantively appointed senior clerks and cashier-cum-store clerks of the District Election Offices who have completed ten years service as such on the first day of the year of recruitment.]

6. Reservation.

- Reservations for the candidates belonging to 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 – Procedure for Recruitment

7. 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 6.

8. Procedure for recruitment by promotion.

- [(1) Recruitment to the post in the service shall be made on the basis of seniority subject to the rejection of unfit through a Selection Committee comprising :

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| (i) Joint Chief Electoral Officer, Uttar Pradesh. | .. Chairman. |
| (ii) Two Officers not below the rank of Group "A" Officers to be nominated by the Chief Electoral Officer, Uttar Pradesh. | .. Members.] |

[Substituted by Notification No. 4287/17-A-I-239-91, dated April 30. 1994, published in U.P. Gazette, Part I Kha, dated 2nd July, 1994.](2)The appointing authority shall prepare eligibility lists of the candidates in accordance with the Uttar Pradesh Promotion by Selection (On Posts Outside the Purview of the Public Service Commission) Eligibility List Rules, 1986, and place the same before the Selection Committee along with their character rolls and such other record pertaining to them, as may be considered proper :Provided that while preparing eligibility lists under this sub-rule where there are two different feeding cadres-(a)bearing different pay scales, the candidates belonging to the cadre bearing higher pay scales shall be placed higher in the eligibility list.(b)bearing the same pay scale the names of the candidates shall be arranged in the eligibility list of the order of the date of their substantive appointment in their respective cadres.Note. - For the purposes of promotion combined seniority lists shall be prepared separately for the posts of Senior Clerks and Cashier-cum-Store-Clerks of all the Districts Election Offices, at the State level by the Chief Electoral Officer, Uttar Pradesh.(3)The Selection Committee shall consider the cases of the candidates on the basis of the records, referred to in sub-rule (2) and if it considers necessary, it may interview the candidates also.(4)The Selection Committee shall prepare lists of selected candidates arranged in order of seniority as it stood in the cadre from which they are to be promoted and forward the same to the appointing authority.

Part V – Appointment, Probation, Confirmation and Seniority

9. Appointment.

(1)The appointing authority shall make appointments by taking the names of candidates in the order in which they stand in the lists prepared under rule 8.(2)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 it stood in the cadre from which they are promoted.

10. Probation.

(1) A person substantively appointed 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 circumstance 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, as the case may be, that a probationer has not made sufficient use of his opportunities or has otherwise failed to give satisfaction, he may be reverted to his substantive post. (4) A probationer who is reverted under sub-rule (3) shall not be entitled to any compensation. (5) The appointing authority may allow continuous service rendered in a post included in the cadre or any other equivalent or higher post, to be taken into account for the purpose of computing the period of probation.

11. Confirmation.

- The order issued by the appointing authority under sub-rule (3) of Rule 5 of the Uttar Pradesh State Government Servants Confirmation Rules, 1991, declaring that the probationer has successfully completed the probation shall be deemed to be the order of confirmation.

12. Seniority.

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

Part VI – Pay, Etc.

13. Scale of pay.

(1) The scale of pay admissible to persons appointed in the service shall be such as may be determined by the Government from time to time. (2) The scale of pay at the time of commencement of these rules is Rs. 1,640-60-2,600-EB-75-2,900.

14. Pay during probation.

(1) 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. (2) The pay during probation of a person who is already holding a post under the Government, shall be regulated by the

relevant Fundamental Rules :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.(3)The pay during probation of a person already in permanent Government service shall be regulated by the relevant rules, applicable to Government servants generally serving in connection with the affairs of the State.

15. Criteria for crossing efficiency bar.

- No Assistant District Election Officer shall be allowed to cross the efficiency bar unless his work and conduct are found to be satisfactory and unless his integrity is certified.

Part VII – Other Provisions

16. 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.

17. Regulation of other matters.

- In regard to the matters not specifically covered by these 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.

18. Relaxation in the conditions of service.

- Where the State Government is satisfied that the operating 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 rules 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.

19. Savings.

- Nothing in these rules shall affect reservation and other concessions required to be provided for the candidates belonging to the Schedule 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 Rule 4 (2)]

Sl. No.	Name of post	Number of posts
	Permanent Temporary	Total

1. Assistant District Election Officer 26 37 63