

# **The U.P. Fire (Gazetted Officer) Services Rules, 1984**

UTTAR PRADESH

India

## **The U.P. Fire (Gazetted Officer) Services Rules, 1984**

### **Rule**

### **THE-U-P-FIRE-GAZETTED-OFFICER-SERVICES-RULES-1984 of 1984**

- Published on 17 July 1984
- Commenced on 17 July 1984
- [This is the version of this document from 17 July 1984.]
- [Note: The original publication document is not available and this content could not be verified.]

The U.P. Fire (Gazetted Officer) Services Rules, 1984Published vide Notification No. 528/8-(8)-42-72, dated 17th July, 1984, published in U. P. Gazette, Part 1 (Kha), dated 5th January 1985In exercise of the powers conferred by the proviso 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 Uttar Pradesh Fire (Gazetted Officers) Service.

## **Part I – General**

### **1. Short title and commencement.**

(1)These rules may be called the Uttar Pradesh Fire (Gazetted Officers) Services Rules, 1984.(2)They shall come into force at once.

### **2. Status of service.**

- The Uttar Pradesh Fire (Gazetted Officers) Service is a State Service comprising Groups 'A' and 'B' posts.

### **3. Definitions.**

(1)In these rules, unless there is anything repugnant in the subject or context,-(a)"Act" means the U.P. Fire Service Act, 1944. (U.P. Act No. Ill of 1944) as amended from time to time;(b)"appointing authority" means the Governor;(c)"citizen of India" means a person who is or is deemed to be a citizen of India under Part II of the Constitution;(d)"Commission" means the Uttar Pradesh Public

Service Commission;(e)"Constitution" means the Constitution of India;(f)"Director-General and Inspector-General" mean Director-General and Inspector-General of Police, Uttar Pradesh;(g)"Government" means the Government of Uttar Pradesh;(h)"Governor" means the Governor of Uttar Pradesh;(i)"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;(j)"Service" means the Uttar Pradesh Fire (Gazetted Officers) Service;(k)"Secretary" means Secretary to Government in the Home Department;(l)"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 instruction issued by the Government;(m)"year of recruitment" means a period of twelve months commencing from the first day of July of a calendar year.(2) Words and expressions used but not defined in these rules, shall have the meaning assigned to them in the Act, if defined therein.

## **Part II – Cadre**

### **4. Cadre of service.**

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

## **Part III – Recruitment**

### **5. Source of recruitment.**

- Recruitment to various categories of posts shall be made from the following sources : (i) Director - By promotion of permanent Joint Director and if there be no permanent Joint Director by promotion of officiating Joint Director who may be permanent on a lower post : Provided that if the incumbent holding the post of Joint Director is not, considered suitable for promotion, the post of Director shall be filled in by direct recruitment, and pending such direct recruitment, an officer of the Indian Police Service of the status not below that of the Deputy Inspector-General may be taken on deputation and appointed, purely on an ad hoc basis. (ii) Joint Director - By promotion from amongst permanent Deputy Director (Technical) and permanent Commandant, Fire Service Training Centre and if there be no permanent Deputy Director (Technical) and Commandant, Fire Service Training Centre, by promotion of officiating incumbents of these posts who may be permanent on a lower post : Provided that if the incumbent holding the posts of Deputy Director (Technical) and Commandant Training Centre are not considered fit for promotion to the post of Joint Director, it shall be filled up by direct recruitment and pending such direct recruitment an officer of the Indian

Police Service Cadre in Senior Scale may be taken on deputation, purely on an ad hoc basis.(iii)Deputy Director (Technical) and Commandant Fire Service Training Centre-By promotion from amongst the permanent Chief Fire Officers.(iv)Chief Fire Officer-(i) 50% posts by promotion through the Commission, from amongst the permanent Fire Station Officers.(ii)50% posts by direct recruitment through the Commission.

## 6. Reservation.

- Reservations 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 who had 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.

### 8. Academic qualifications.

- A candidate for direct recruitment to the following posts must possess the qualifications as under :

Post	Essential qualification
Director	... (i) Three-year degree in Fire Engineering from National FireService College, Nagpur or any equivalent degree from arecognised institution of comparable status. or Divisional Officer's Course from National Fire ServiceCollege, Nagpur or equivalent course from a recognisedinstitution of comparable status.

(ii) At least ten years experience of whole time Service in areputed Fire Service Organisation out of which at least fiveyears experience should be on a responsible position.

Preferential qualification :

Capacity for imparting and organising training in FireFighting.

Essential qualifications :

Joint Director      (i) Three years degree in Fire Engineering from National FireService College, Nagpur or any equivalent degree from arecognised institution of comparable status.

or  
Divisional Officer's Course from National Fire ServiceCollege, Nagpur or equivalent course from a recognisedinstitution of comparable status.

(ii) At least eight years experience of whole time Service in a reputed Fire Service Organisation out of which at least fouryears experience should be on a responsible position.

Preferential qualification :

Capacity for and imparting organising training in FireFighting.

Chief Fire Officer      Three years degree in Fire Engineering from National FireService College, Nagpur or any equivalent degree from arecognised institution of comparable status.

or  
Divisional Officers Course from National Fire ServiceCollege, Nagpur or equivalent course from recognised institutionof comparable status.

Preferential qualifications :

(i) Knowledge of automobile repairing.

(ii) Experience of practical Fire Fighting and handling majorconflagrations.

## 9. Preferential qualifications.

- A candidate who has-(i)served in the Territorial army for a minimum period of two years, or(ii)obtained 'B' Certificate of National Cadet Corps, shall', other things being equal, be given preference in the matter of direct recruitment.

## 10. Age.

- A candidate for direct recruitment to the posts mentioned below must have attained the minimum and must not have attained more than the maximum age mentioned against each on January 1 of the year in which recruitment is to be made if the posts are advertised during the period January 1 to June 30 and on July 1 if the posts are advertised during the period July 1 to December 31 :

	Minimum	Maximum
(i) Director/Joint Director	35	45
(ii) Chief Fire Officer	23	35 :

Provided that the upper age limit in the case of candidates belonging to the

**d 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. 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. The appointing authority shall satisfy itself on this point. Note.-Persons dismissed by the Union Government or by a State Government or by Local Authority or by a Corporation or Body owned or controlled by the Union Government or a 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 Governor may, if satisfied that there exist special grounds for doing so, exempt any person from the operation of this 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 by direct recruitment he shall be required to pass an examination by a Medical Board. Regulations and physical standards of examination will be same as applicable in direct recruitment in U.P. Police Service.

### **Part V – Procedure for Recruitment**

#### **14. Determination of vacancies.**

- The Secretary shall determine the number of vacancies to be filled in 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. The vacancies on the posts to be filled through the Commission shall be intimated to the Commission.

#### **15. Procedure for direct recruitment.**

(1)Applicable for being considered for selection shall be called by the Commission in the prescribed

form, which may be obtained from the Secretary to the Commission on payment, if any.(2)The Commission shall, having regard to the need for securing due representation of the candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories in accordance with rule 6, call for interview such number of candidates who fulfil the requisite qualifications, as they consider proper.(3)The Commission shall prepare a list of candidates in order of their proficiency as disclosed by the marks obtained by each candidate in the interview. If two or more candidates obtained equal marks, the Commission shall arrange their names in order of merit on the basis of their general suitability for the service. The number of names in the list shall be larger (but not larger by more than 25%) than the number of the vacancies. The Commission shall forward the list to the appointing authority.

## **16. Procedure for recruitment by promotion to the post of Director, Joint Director and Chief Fire Officer.**

- Recruitment by promotion to the post of Director and Joint Director shall be made on the basis of seniority, subject to the rejection of the unfit and to the post of Chief Fire Officer on the basis of merit in accordance with the Uttar Pradesh Promotion by Selection in Consultation with the Public Service Commission (Procedure) Rules, 1970, as amended from time to time.

## **17. Procedure for recruitment by promotion to the post of Deputy Director (Technical) and Commandant Training Centre.**

(1)Recruitment by promotion to the post of Deputy Director (Technical) and Commandant Training Centre, shall be made on the basis of seniority subject to the rejection of the unfit through the Selection Committee comprising :(i)Secretary to Government, Home Department;(ii)Secretary to Government, Personnel Department.(iii)Director-General and Inspector-General of Police.(2)The appointing authority shall prepare an eligibility list of the candidates, arranged in order of seniority, and place it before the Selection Committee alongwith their character rolls and as such other records, pertaining to them, as maybe considered proper.(3)The Selection Committee shall consider the cases of candidates on the basis of records, referred to in sub-rule (2) and if it considers necessary, it may interview the candidates also.(4)The Selection Committee shall prepare a list of selected candidates arranged in order of seniority and forward the same to the appointing authority.

## **18. Combined select list.**

- 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 alternately from the lists prepared under Rules 15 and 16, the first name being from the list prepared under Rule 16.

## **Part VI – Appointment, Probation, Confirmation and Seniority**

## **19. Appointment.**

(1) Subject to the provisions of sub-rule (2) the appointing authority shall make appointment by taking the name of candidates in the order in which they stand in the lists prepared under rules 15, 16, 17 or 18, as the case may be. (2) 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 a combined list is prepared in accordance with rule 18. (3) 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 or, as the case may be, as it stood in the cadre from which they are promoted. If the appointments are made both by direct recruitment and by promotion, names shall be arranged in accordance with the order, referred to in rule 18. (4) The appointing authority may make appointments in temporary or officiating capacity also from the list referred to in sub-rule (1). If no candidate borne on these lists is available, he may make appointments in such vacancy from amongst persons eligible for appointment under these rules. Such appointments shall not last for a period exceeding one year or beyond the next selection under these rules, whichever be earlier, and where the post is within the purview of the Commission, the provisions of regulation 5 (a) of the U.P. Public Service Commission (Limitation of Functions) Regulations, 1954, shall apply.

## **20. Training.**

- Persons recruited to the service shall have to undergo training as may be required by the Government from time to time.

## **21. Probation.**

(1) A person on appointment to a post in the service in or against a permanent vacancy 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 up to which the extension is granted : Provided that save in exceptional circumstances the period of probation shall not be extended for more than one year and, in no case beyond two years. (3) If it appears to the appointing authority at any time during or at the end of period of probation or extended period of probation 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, if any, and if he does not hold a lien on any post his service may be dispensed with. (4) A probationer who is reverted or whose services are dispensed with under sub-rule (3) shall not be entitled to any compensation. (5) The appointing authority may allow continuous services rendered in an officiating or temporary capacity 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.

## **22. 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)he has successfully undergone the required training, if any,(b)his work and conduct are reported to be satisfactory,(c)his integrity is certified-, and(d)the appointing authority is satisfied that he is otherwise fit for confirmation.

## 23. Seniority.

(1)Except as hereinafter provided, the seniority of persons in any category of posts shall be determined from the date of the order of substantive appointment and if two or more persons are appointed together, by the order in which their names are arranged in the appointment order :Provided that if the appointment order specifies a particular back date with effect from which a person is substantively appointed, that date, will be deemed to be the date of order of a substantive appointment and, in other cases it will mean the date of issue of the order :Provided further that, if more than one orders of appointment are issued in respect of any one selection the seniority shall be as mentioned in the combined order of appointment issued under sub-rule (3) of rule 19.(2)the seniority inter se of persons appointed directly on the result of any one selection, shall be the same as determined by the Commission or, as the case may be, by the Selection Committee :Provided that a candidate recruited directly may lose his seniority if he fails to join without valid reasons when vacancy is offered to him. The decision of the appointing authority as to the validity of reasons shall be final.(3)The seniority inter se of persons appointed by promotion shall be the same as it was in the cadre from which they were promoted.(4)Where appointments are made both by promotion and direct recruitment or from more than one source and the respective quota of the sources is prescribed, the inter se seniority shall be determined by arranging the names in a cyclic order, in a combined list, prepared in accordance with rule 18, in such manner that the prescribed percentage is maintained :Provided that-(i)Where appointment from any source are made in excess of the prescribed quota, the persons appointed in excess of quota shall be pushed down, for seniority, to subsequent year or years in which there are vacancies in accordance with the quota,(ii)Where appointments from any source fall short of the prescribed quota and appointment against such unfilled vacancies are made in subsequent year or years, the persons so appointed shall not get seniority of any earlier year but shall get the seniority of the year in which their appointments are made, so however, that in the combined list of that year, to be prepared under this rule, their names shall be placed at the top followed by the names, in the cyclic order of other appointees.

## Part VII – Pay, etc.

### 24. Scales of pay.

(1)The scale of pay admissible to persons appointed to the various categories of posts in the service, whether in a substantive or officiating capacity or as a temporary measure, shall be such as may be determined by the Government from time to time.(2)The scales of pay at the time of the commencement of these rules are as follows :

Name of the post	Scale of pay*
	Rs.



1. Director ... 1,840-60-1,900-75-2,200-100-2,400.
2. Joint Director ... 1,540-60-1,900-E. B.-75-2,200.
3. Deputy Director (Technical) ... 1,250-50-1,300-60-1,660-E. B.-60-1,900-75-2,050.
4. Commandant Training Centre.
5. Chief Fire Officer ... 850-40-1,050-E. B.-50-1,300-60-1,420-E. B.-60-1,720.

\*For Latest Pay Scale, please see Current G.O.Note.-Scales of pay of posts shown against 3 and 4 above being equal, officers holding these posts are transferable from one post to another and vice versa.

## **25. 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, has passed departmental examination and undergone training where prescribed 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 was 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 generally to Government Servants serving in connection with the affairs of the State.

## **26. Criteria for crossing efficiency bar.**

(1)Where there is a single efficiency bar no persons shall be allowed to cross the efficiency bar unless he has worked diligently and to the best of his ability, has been able to exercise proper supervision, his work and conduct is otherwise found to be satisfactory and unless his integrity is certified.(2)A person other than those covered by sub-rule (1) shall not be allowed to cross-(i)the first efficiency bar unless his work and conduct are found to be satisfactory and unless his integrity is certified,(ii)the second efficiency bar unless he has worked diligently and to the best of his ability, he is found fully capable of imparting training to subordinates, his work and conduct are otherwise found to be satisfactory and unless his integrity is certified.

## **Part VIII – Other Provisions**

### **27. 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.

## **28. Regulation of other matters.**

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

## **29. Relaxations from the conditions of the service.**

- Where the 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 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 : Provided that if the rule was framed in consultation with the commission, that body shall be consulted before the requirements of that rule are dispensed with or relaxed.

## **30. 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 issued by the Government from time to time in this regard. Appendix [See Rule 4 (2)] The sanctioned permanent and temporary strength of the Fire Service and of each category of the posts included therein are as under :

1. Director (Temporary)	.. 1
2. Joint Director (Temporary)	.. 1
3. Deputy Director (Technical) (Permanent)	.. 1
4. Commandant, Fire Service Training Centre, Allahabad (Permanent)	.. 1
5. Chief Fire Officer (Permanent)	.. 11

One post of State Fire Officer (Permanent) in the scale of Rs. 800-1,450 has been kept in abeyance consequent to the creation of posts of Deputy Director (Technical) and Joint Director as shown above.