

# **The U.P. Harijan and Social Welfare Gazetted Officers Service Rules, 1991**

UTTAR PRADESH

India

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### **Rule**

### **THE-U-P-HARIJAN-AND-SOCIAL-WELFARE-GAZETTED-OFFICERS-SERVICE RULES of 1991**

- Published on 23 March 1991
- Commenced on 23 March 1991
- [This is the version of this document from 23 March 1991.]
- [Note: The original publication document is not available and this content could not be verified.]

The U.P. Harijan and Social Welfare Gazetted Officers Service Rules, 1991Published vide Notification No. 20/26-1-91-701-66, dated March 14, 1991, published in the U.P. Gazette, Part 1 (ka), dated 23rd March, 1991In exercise of the powers conferred by the proviso to Article 309 of the Constitution and in supersession of all existing rules and order 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 Harijan and Social Welfare Gazetted Officers Service.

## **Part I – General**

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

(1)These rules may be called The Uttar Pradesh Harijan and Social Welfare Gazetted Officers Service Rules, 1991.(2)They shall come into force at once.

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

- The Uttar Pradesh Harijan and Social Welfare Gazetted Officers Service is a State and Subordinate Gazetted Officers Service comprising Groups 'A' and 'B' posts.

### **3. Definitions.**

- In these rules unless there is anything repugnant in the subject or context-(a)"appointing authority" in relation to a post means the authority mentioned as such in the Appendix against each post;(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)"Commission" means the Uttar Pradesh Public Service Commission, Allahabad;(d)"Constitution" means the Constitution of India;(e)"Director" means the Director of the Harijan and Social Welfare Department, Uttar Pradesh;(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 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;(i)"Service" means the Uttar Pradesh Harijan and Social Welfare Gazetted Officers Service;(j)"Substantive appointment" means an appointment, not being an ad hoc appointment, on a post in the cadre of the service, and 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;(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 the 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 :(i)The appointing authority may leave unfilled or the Governor may hold in abeyance any vacant post, without thereby entitling any person to compensation;(ii)The Governor may create such additional permanent or temporary posts as he may consider proper.

## **Part III – Recruitment**

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

- Recruitment to the various categories of posts in the service shall be made from the sources mentioned in 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 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 first 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 the 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.**

- A candidate for direct recruitment to the various categories of posts in the service must possess the qualifications specified in the Appendix.

### **9. Age.**

- A candidate for direct recruitment must have attained the minimum age and must not have attained the maximum age specified against the post in the Appendix, on the first day of July of the calendar year, in which vacancies for direct recruitment are advertised by the Commission :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.

### **10. 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 a State Government or a Local Authority or 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.

## **11. 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 Government may, if satisfied that there exist special grounds for doing so, exempt any person from the operation of this rule.

## **12. Physical fitness.**

- No candidate shall be appointed to a post in the 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 direct appointment he shall be required to pass an examination by a Medical Board.

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

### **13. Determination of vacancies.**

- The appointing authority shall determine and intimate to the Commission 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.

### **14. Procedure for direct recruitment on the basis of competitive examination.**

(1) Direct recruitment to the posts specified at Serial Nos. 7 and 8 in the Appendix shall be made through the Combined State Services Examination conducted by the Commission. (2) Application for permission to appear in the competitive examination shall be invited by the Commission in the prescribed form. (3) No candidate shall be admitted to the examination unless he holds a certificate of admission, issued by the Commission. (4) After the results of the written examination have been received and tabulated, the Commission shall, having regard to the need for securing due representation of the candidates belonging to the Scheduled Castes, Scheduled Tribes and others under Rule 6, summon for interview such number of candidates as, on the result of the written examination, have come up to the standard fixed by the Commission in this respect. The marks awarded to each candidate at the interview shall be added to the marks obtained by him in the written examination. (5) The Commission shall prepare a list of candidates in order of their proficiency as disclosed by the aggregate of marks obtained by each candidate at the written examination and interview and recommend such number of candidates as they consider fit for appointment. If two or more candidates obtain equal marks in the aggregate, the name of the candidate obtaining higher marks in the written examination shall be placed higher in the list. The number of names in the list shall be larger (but not larger by more than 25 per cent) than the number of vacancies. The Commission shall forward the list to the appointing authority.

## **15. Procedure for direct recruitment on the basis of interview.**

(1) When direct recruitment is to be made through the Commission on the basis of interview, application for being considered for selection shall be invited by the Commission in the prescribed form. (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 obtain 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 the names in the list shall be larger (but not larger by more than 25 per cent) than the number of vacancies. The Commission shall forward the list to the appointing authority.

## **16. Procedure for recruitment by promotion through the Commission.**

- Recruitment by promotion shall be made on the basis of seniority subject to rejection of unfit, in accordance with the Uttar Pradesh Promotion by Selection in Consultation with Public Service Commission (Procedure) Rule, 1970, as amended, from time to time.

## **17. Procedure for recruitment by promotion through the Selection Committee.**

(1) Recruitment by promotion to the post mentioned at serial numbers 1, 2, 3, 4, 5 and 9 in the Appendix shall be made on the basis of seniority subject to the rejection of unfit through a Selection Committee comprising—(1) Secretary to the Government in Harijan and Social Welfare Department. (2) Secretary to the Government, in Personnel Department or an officer nominated by him, who must not be of the rank below than Joint Secretary. (3) Director, Harijan and Social Welfare Department. The Senior Secretary shall be the Chairman of the Selection Committee. (2) The appointing authority shall prepare eligibility list or lists of 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 records, pertaining to them, as may be, 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 as it stood in the cadre from which they are to be promoted and forward the same to the appointing authority.

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

- If in any year of recruitment appointments are to be made both by direct recruitment and by promotion, a combined select list shall be prepared by taking the names of candidates from the relevant list in such manner that the prescribed percentage is maintained, the first name in the list

being of the person appointed by promotion.

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

### **19. Appointment.**

(1)The appointing authority shall make appointment by taking the names of candidates in the order in which they stand in the list prepared under Rule 15, 16, 17 or 18, as the case may be.(2)Where, in any year of recruitment, appointment 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 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 the recruitment and by promotion, names shall be arranged in accordance with the order, referred to in Rule 18.

### **20. 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 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 or extended period of probation that a probationer has not made sufficient use of his opportunities or his work and conduct is unsatisfactory, he may be reverted to his substantive post, if any, and if he does not hold a lien on any post his services 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 service, 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.

### **21. 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 are reported to be satisfactory, and(b)his integrity is certified.

### **22. Seniority.**

(1)Except as hereinafter provided, the seniority of persons in any category of post 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 substantive appointment and, in other cases, it will mean the date of issue of the order :Provided further that, if more than one order of appointment are issued in respect of any one selection, the seniority shall be as mentioned in the combined order of the 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 :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 has 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.

## **Part VII – Pay etc.**

### **23. Scales of pay.**

- The scales of pay admissible to persons appointed to the various category of posts in the service shall be such as may be determined by the Government, from time to time.

### **24. 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 unsatisfactory work and conduct such extension shall not count for increment unless the appointing authority directs otherwise.(2)The pay during probation of 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 unsatisfactory work and conduct 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 States.

### **25. Criterion for crossing efficiency bar.**

- No person shall be allowed to cross the efficiency bar unless :(1)His work and conduct are found to be satisfactory; and(2)His integrity is certified.

## **Part VIII – Other Provisions**

## 26. Canvassing.

- No recommendations, either written or oral, other than those required under the rules applicable to the post or service shall 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.

## 27. 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.

## 28. Relaxation in the condition 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 rules, applicable to the case, by order, dispense with or relax the requirements of that rules 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 where a rule has been framed in consultation with the Commission, that body shall be consulted before the requirement of the rule are dispensed with or relaxed.

## 29. Savings.

- 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. Appendix (See Rules 3 (a), 4 (2), 5, 8, 9, 14 (1) and 17)

Name of the post	Number of post	Source of		Educational qualification	Age limit
		Appointing authority	recruitment and criterion for promotion		
Permanent	Temporary	Total			
1	2	3	4	5	6
1.	Joint Director	...	1	1	Governor
					By promotion through the Selection Committee vide Rule 17, from amongst substantively appointed Deputy Directors who have completed five



						years service as such. By promotion through the Selection Committee vide Rule 17, from amongst substantively appointed Assistant Director, Area Officer (Anti Beggary) and Additional District Development Officer (Harijan Welfare) who have completed one year service as such. By promotion through the Selection Committee vide Rule 17, from amongst substantively appointed
2.	Deputy Director	8	2	10	Do.	Junior Associates (Gazetted) (Women Welfare Programme) who have completed three years service as such. By promotion through the Selection Committee vide Rule 17, from amongst the substantively appointed District Harijan and Social Welfare Officer, who have completed ten years service as such.
3.	Specialist (Women Programme)	1	...	1	Do.	By promotion through the Selection Committee vide Rule 17, from amongst the substantively appointed District Harijan and Social
4.	Assistant Director	2	2	4	Governor	
5.	Areas Officer (Anti Beggary)	1	...	1	Do.	

6.	Junior Associate (Gazetted) Women Welfare Programme	1	...	1	Do.	Welfare Officer, who have completed ten years service as such. By promotion through the Commission vide Rule 16, from amongst the substantively appointed Junior Associates (non-Gazetted) who have completed five years service as such. Fifty per cent by direct recruitment through Commission vide Rule 14 and 50 per cent by promotion through Commission vide Rule 16 from amongst substantively appointed District Harijan and Social Welfare Officers, who have completed ten years of service as such. Fifty per cent by direct recruitment through Commission vide Rule 14 and 15 per cent by promotion through Commission vide Rule 16 from amongst the following cadres according to the percentage noted against them: (1) Superintendents (Gazetted) 45 per cent. (2) Officer Superintendent Grade 15 per cent
7.	Additional District Development Officer (Harijan Welfare)	...	63	63	Do.	
8.	District Harijan and Social Welfare Officers	62	7	69	Governor	

Manager  
Government  
Unnayan  
Basti,  
Kalyanpur, 1  
KanpurAdministrative  
Officer P. C. S.  
Coaching  
Centres

1 1 2  
64 8 72

9. Principal (Polytechnic) 1 ... 1 Do.

10. Head of Department (Polytechnic) 3 ... 3 Do.

11. Lecturer Civil 6 ... 6 Governor  
Engineering-2  
Mechanical  
Engineering-2Electrical  
Engineering-2

By promotion through the Selection Committee vide Rule 17, from amongst the substantively appointed Head of Departments (Polytechnic), who have completed five years service as such.

By promotion through Commission vide Rule 16, from amongst the following : (i) a Lecturer in Civil Electrical or Mechanical Engineering having at least five years experience in teaching. (ii) workshop Superintendent who have completed five years service as such.

By direct recruitment through Commission vide Rule 15.

12.	Workshop Superintendent	1	...	1	Do.	By direct recruitment through CommissionvideRule 15.
13.	Lecturer (non-technical).1. Mathematics2. Physics3.Chemistry4. English Literature	4	...	4	Governor	By direct recruitment through the CommissionvideRule 15.

14.	Principal, Industrial Training Institute	3	...	3	Do.	By promotion through CommissionvideRule 16, from amongst substantively appointed Foreman.
15.	Principal Government Ashram Type School (Inter Section).	1	...	1	Governor	By promotion through CommissionvideRule 16, from amongst the following :(i) Principal,Government School for Physically handicapped.(ii) Principal,Government Ashram Types Schools.
16.	Principal, Government Ashram Type School (High School forgirls).	1	...	1	Do.	By promotion through CommissionvideRule 16, from amongst substantively appointed female Lecturersof Government Ashram Types School who have completed five years'service as such.
17.	Principal, Blind School (High School level).	2	...	2	Do.	By promotion through CommissionvideRule 16, from amongst the substantively appointed Principal ofBlind School or Junior High School who have completed fiveyears' service as such.
18.		1	...	1	Do.	

	Principal, School for Physically handicapped (High School level.)					By promotion through CommissionvideRule 16, from amongst the substantively appointed Principal,School for physically handicapped (Junior High School level) whohave completed five years service as such.
19.	Principal, Deaf and Dumb School (High School)	1	1	2	Governor	By promotion through CommissionvideRule 16, from amongst substantively appointed Principal, deafand dumb School (Junior High School level) who have completedfive years service as such.
20.	Statistical Officer	...	1	1	Do.	By direct recruitment through CommissionvideRule 15.

21.	Medical Officer	...	2	2	Do.	By direct recruitment through CommissionvideRule 15.
22.	Principal, Government School for Physically handicapped(Junior High School).	1	...	1	Director	By promotion through CommissionvideRule 16, from amongst substantively appointed L. T. gradeteachers.
23.	Principal, Deaf and Dumb School (Junior High School)	2	...	2	Do.	By promotion through CommissionvideRule 16, from amongst substantively appointed L. T. gradeteachers in the Deaf and Dumb School of the department.
24.	Principal, Government School for Blinds (Junior High School 1for boys and 1 for girls	1	1	2	Do.	By promotion through CommissionvideRule 16, from amongst substantively appointed L. T. gradeteachers in the Blind School of the department.
25.	Superintendent1. After-Care Home2. Protective	27	6	33	Director	(1) Fifty per cent by direct recruitmentthrough

Home3. Rescue  
Home4. Mahila  
Ashram5. Balika  
Hiketan6.  
MariHiketan7.  
Training  
Centre-cum-Sheltered  
Workshop for Destitute  
Women8. Shishu  
Sadana9. Fosters Care  
Home10. Certified  
Home for Women11.  
Old and Infirm Home

CommissionvideRule  
15.(2) Fifty per cent  
by promotion through  
CommissionvideRules  
16, from amongst the  
following : (i) Assistant  
Superintendents of  
DistrictShelters.(ii)  
Lady Recreation  
Officer.(iii)  
WorkshopSupervisor  
(Female).(iv) Manager  
or Superintendents  
for Scheduled Castes  
Girls Hostel.

26.	Superintendent : 1. Certified Homes2. Bal Sadana3. Old and Infirm Home4. Training Centre-cum-Sheltered Workshop for physically handicapped.5.	15	10	25	Director	50% by direct recruitment through CommissionvideRule 15. 50% by promotion through CommissionvideRule 16, from amongst the following : (i) AssistantSuperintender
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Training  
Centre-cum-Sheltered Workshop  
for blinds. 6. Training  
Centre-cum-Sheltered  
Workshop for deaf and  
dumbs.

Observation Home or  
Bal Sadan. (ii)  
Manager or  
Superintendents,  
Harijan Hostels. (iii)  
Workshop Supervisors  
(Male). (iv) Senior  
Assistant of  
the Directorate. (v)  
Rescue Officer.

27.	Superintendent Government School for Mentally retarded Children (1 for boys and 1 for girls).	2	...	2	Director	Direct recruitment through Commission vide Rule 15.
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28.	Superintendent Government Ashram Type School for Girls.	...	1	1	Director	By direct recruitment through CommissionvideRule 15.
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29.	Personal Assistant to Director	1	...	1	Director	By promotion through CommissionvideRule 16, from amongst substantively appointed OfficeSuperintendent Grade-I.
30.	Superintendent Government Ashram Type School	25	9	34	Do.	Fifty per cent by direct recruitment throughCommissionvic 15. 50 per cent by promotion throughCommissionvic 16, from amongst substantivelyappointed L.T. grade teachers of the department, (except theteachers of Deaf and Dumb-School).