

The U.P. State Universities (Centralised) Service Rules, 1975

UTTAR PRADESH

India

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Rule

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The U.P. State Universities (Centralised) Service Rules, 1975 Published Vide Notification No. 6884/15-75 - 60(24)-10-74 dated 31.10.1975, published in the U.P. Gazette, Extraordinary, dated 31.10.1975. In exercise of the powers conferred by sub-section (1) of Section 17 of the Uttar Pradesh State Universities Act, 1973, as re-enacted and amended by Uttar Pradesh Universities (Re-enactment and Amendment) Act, 1974, the Governor is pleased to make the following rules for the creation of a separate service of the Registrars, Deputy Registrars and Assistant Registrars, common to all the Universities to which the aforesaid Act applies, and for regulating the recruitment to and conditions of service of persons appointed to any such service.

Part I – Preliminary

1. Short title, application and commencement

. - (1) These rules may be called the Uttar Pradesh State Universities (Centralised) Service Rules, 1975. (2) They shall apply to all the Universities to which the Uttar Pradesh State Universities Act, 1973 as re-enacted and amended by the Uttar Pradesh Universities (Re-enactment and Amendment) Act, 1974, is applicable. (3) They shall come into force with effect from the date of publication in Official Gazette.

2. Definitions

. - In these Rules, unless the context otherwise requires : (a) 'Act' means the Uttar Pradesh State Universities Act, 1973, as amended from time to time; (b) 'Centralised Service' or 'Service' means the

Centralised Service created under Rule 3 of these Rules;(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)'Education Department' means Education Department of the Government;(f)'Government' or 'State Government' means the Government of Uttar Pradesh;(g)'Secretary' means Secretary to Government in the Education Department;(h)'University' means a University to which the Uttar Pradesh State Universities Act, 1973 is applicable;(i)Words and expressions not defined in these rules, but used in the Act, shall have the meaning assigned to them in the Act.

Part II – Cadre And Strength

3. Creation of Centralised Service

. - With effect from the commencement of these rules, there shall be Centralised Service common to all the Universities, which shall consist of the following administrative posts, namely
:- (1) Registrars. (2) Deputy Registrars. (3) Assistant Registrars.

4. Scale of pay

. - The scales of pay for the various categories of posts mentioned in Rule 3 shall be such as the Government may from time to time fix.

5. Strength

. - (1) The strength of each category of posts mentioned in Rule 3 shall be such as the Government may from time to time fix. (2) All the posts mentioned in Rule 3 existing in the Universities immediately before the commencement of these rules shall from the present permanent strength of the Centralised Service. (3) Any of the existing posts under the Centralised Service or any such post which the State Government may create in future, shall not be abolished by any University without the prior approval of the State Government.

Part III – Recruitment

[6. Source of recruitment, absorption and termination of service of existing officers. - Subject to the provisions of Rule 7, - (a) thirty-three percent of the posts of Registrar, all posts of Deputy Registrar and thirty-three percent of the posts of Assistant Registrar shall be filled in by promotion in the manner laid down in Rule 20; and (b) the remaining posts of Registrar and Assistant Registrar shall be filled in by direct recruitment in the manner laid down in Part V : Provided that any fractions, obtained up to calculation of percentage in accordance with clause (a) shall be ignored : Provided further that notwithstanding anything contained in this rule, the State Government may appoint any Government Servant on deputation to any of the posts of the Centralised Service, of a period not exceeding three years.] [Substituted by Notification. No. 1506/XV - 10-77 dated 24.3.1977.]

7. Absorption of the existing Officers

. - (1) [The absorption or termination of services of the persons, serving on any of the posts mentioned in Rule 3, immediately before the commencement of the rules, shall be governed by the following provisions :-(a)Persons serving on the administrative posts of Registrar, Deputy Registrar and Assistant Registrar and confirmed in any one of the said posts before May 14, 1973, shall unless they opt otherwise, be absorbed in the Centralised Service finally.(b)Other persons holding temporary or officiating appointments referred to in clause (a) above shall unless they opt otherwise, be absorbed provisionally, subject to such orders as the State Government may in each case pass under clause (c) below.(c)The services of persons who are provisionally absorbed under clause (b) but who are not found suitable for absorption finally may, by orders of the State Government (made on or before December 31, 1977) be terminated on payment of one month's salary as compensation as provided in sub-section (2) of Section 17 of the Act.(d)If in any case, orders of the State Government are not made to the contrary under clause (c), the persons concerned shall be deemed to have been finally absorbed in the Centralised Service.(e)Persons serving on any of the said posts immediately prior to the commencement of these rules shall be required to exercise their option for absorption in the Centralised Service. A person who fails to communicate to the Government in the Education Department his option within a period of three months from the date of commencement of these rules shall be deemed to have opted for such absorption.(f)The services of persons referred in clause (a) who opt against absorption, shall stand determined, with effect from the date of exercise of such option, and they shall, without prejudice to their claim to any provident fund admissible to them, be paid as compensation, the pay for the remaining period of their service in the University, or six months' pay in the case of persons whose total continuous service immediately before the commencement of these rules exceeded ten years, or three months' pay in the case of persons whose total continuous service as aforesaid did not exceed ten years, whichever is less.(g)The amount of compensation payable under clause (c) clause (J) shall be paid by the University in which the person concerned was employed immediately before the commencement of these rules.(2)Where in the case of a person referred to in sub-section (2) of Section 17 of the Act and absorbed in the service, any particular condition of service prescribed by these rules works out, to be less advantageous to him than that applicable to him before such absorption, then, notwithstanding anything contained in these rules, the condition applicable to him before his absorption shall apply to such person.Explanation. - Every person to whom these rules apply, shall be liable to transfer from one University to another.] [Substituted by Notification No. 1793/XV-10-83-35(41)-1981-UPA-10-1973-Rule/1975-AM(4)-1982. dated 31.12.1983.]

8. Reservation for Scheduled Castes, Scheduled Tribes etc

. - Reservation for Scheduled Castes, Scheduled Tribes, Disabled Military personnel and dependants of freedom fighters shall be in accordance with the orders of the State Government as in force at the time of recruitment.

Part IV – Qualifications

9. Nationality

. - A candidate for recruitment to any post in the Centralised Service must be-(a)a citizen of India; or(b)a Tibetan refugee who came over to India before 1st January 1962, with the intention of permanently settling in India; or(c)a person of Indian origin who has migrated from Pakistan, Burma, Ceylon and East African countries of Kenya, Uganda and the United Republic of Tanzania (formerly Tanzanayika and Zanzibar) with the intention of permanently settling down 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 such a candidate may be retained in service after a period of one year, only if he has acquired 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 - (1) A candidate for direct recruitment to the post of Registrar and Assistant Registrar must have attained the minimum age and must not have attained the maximum age, mentioned below, on the first day of January next following the year in which the recruitment is made :-

	Minimum	Maximum
Registrar	35	45
Assistant Registrar	30	45

Provided that the maximum age limit shall, in the case of candidates belonging to the Scheduled Castes, Scheduled Tribes and dependents of freedom fighters, be greater by five years :Provided further that in respect of the posts already advertised by the Commission, the age limit shall be as provided in Rule 10 before the enforcement of the Uttar Pradesh State Universities (Centralised) Service (Fifth Amendment) Rules 1986.(2)In the case of a person who has already rendered at least one year's service in any of the posts in the Centralised Service or in the University, the maximum age limit shall be greater to the extent he has rendered continuous service over the age limits mentioned in sub-rule (1).] [Substituted by Notification. No. 3584/XV-X-86-35(25)-81, dated 30.7.1986.]

11. Character

. - (1) The appointing authority shall satisfy itself that the character of a candidate for appointment to any post in the Service is such as may render him suitable, in all respects, for employment in the Centralised Service.(2)Every candidate for recruitment shall be required to submit certificate of character from the principal/head of the institution last attended and from two Gazetted Office (not related to the candidate) in active service of the State of Union Government who are well acquainted

with his private life but unconnected with his school, college or University.(3)Persons dismissed by the Union Government or any State Government or by a Local Authority or any Government body or Corporation or Public Sector undertaking or a University shall be ineligible for appointment to the service. Any person who has been convicted by a Court of law for offences involving moral turpitude shall also be deemed ineligible.

12. Physical fitness

. - No person shall be appointed to a post in the Centralised Service unless he is in good mental and bodily health and free from any physical defect likely to interfere with the efficient performance of his official duties. Before a candidate is finally approved for appointment to a post in the Centralised Service he shall be required to appear before the State Medical Board for medical examination and be declared fit by it.

13. Qualifications

. - A candidate to any post under the Centralised Services must possess the requisite qualifications as the Commission may prescribe with the approval of the State Government.

14. Marital Status

. - A male candidate who has more than one wife living and a female candidate who has married a man already having a wife living , shall not be eligible for recruitment to the Centralised 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.

Part V – Procedure For Direct Recruitment

15. Communication of the number of vacancies

. - Whenever a vacancy/vacancies to a post in the service require/requires to be filled by direct recruitment, the Secretary shall send intimation about it to the Commission intimating also the number of vacancy/vacancies. If any, reserved for candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories under Rule 8.

16. Applications

. - (1) Applications for recruitment to the Centralised Service shall be invited by the Commission and shall be made on the prescribed form which may be obtained from the Secretary to the Commission and shall be submitted within such time as may be specified.(2)Candidates already employed in the Centralised Service shall submit their applications through proper channel to the Government who shall forward them to the Commission along with their periodical reports, Candidates employed elsewhere should submit their applications to the Commission through their employer.

17. Scrutiny of applications, interview, etc

. - (1) Recruitment to the posts of Assistant Registrar shall be made on the basis of a competitive examination. The Commission shall scrutinise the applications received and shall admit the eligible candidates to appear at the competitive examination. No candidate shall be admitted to the examination unless he holds a certificate of admission granted by the Commission.(2)After the results of the written examination have been received and tabulated, the Commission, having regard to the necessity of securing due representation of Scheduled Castes, Scheduled Tribes, etc., shall summon for interview such number of candidates as, on the results of the written examination, have shown their suitability for being called for such interview. The marks awarded to each candidate at the interview shall be added to the marks obtained by him in the written examination.(3)The Commission shall prepare a list of candidates arranged in order of merit and forward the same to the Secretary.(4)The Syllabus and the rules relating to the competitive examination will be prescribed from time to time by the Commission with the prior approval of the State Government(5)Recruitment to the posts of Registrar shall be made on the basis of interview alone. The Commission shall scrutinise the applications received by them and summon for interview such candidates as seem best qualified for appointment to the Service. Thereafter the Commission shall prepare a list of candidates arranged in order of merit and forward the same to the Secretary.

18. Fees

. - Candidates shall pay to the Commission and to the Medical Board such fees as may, from time to time, be prescribed by the State Government. No claim for the refund of fees shall be entertained.

19. Approved list

. - On receipt of the list prepared by the Commission under Rule 17, the Secretary shall, subject to the provisions of Rule 8, have the names of the candidates entered in a list in the same order in which they have been recommended by the Commission for appointment.

Part VI – Procedure For Promotion

[20. Vacancies to be filled by promotion. - (1) Selection shall be made for recruitment by promotion -(a)To the post of Registrar, strictly on merit from amongst the permanent Deputy Registrars;(b)To the post of Deputy Registrar, on the basis of seniority, subject to rejection of the unfit, from amongst the permanent Assistant Registrars; and(c)To the post of Assistant Registrar, on the basis of seniority, subject to rejection of the unfit, from amongst the permanent Superintendents including permanent Superintendents (Accounts) in the offices of the Universities.(2)The selection shall be made in consultation with the Commission according to the Uttar Pradesh Selection by Promotion in Consultation with Public Service Commission (Procedure) Rules, 1970.(3)The Selection Committee for the purposes of such selection, shall consist of -(i)The Chairman or a member of the Commission representing the Commission who shall be the Chairman of the Committee;(ii)The Director Higher Education, Uttar Pradesh; and(iii)One of the Vice-Chancellors of the Universities to

be nominated by the State Government.]

Part VII – Appointment, Probation And Confirmation

21. Appointment

. - (1) On the occurrence of substantive vacancies, the Government shall make appointment to the various posts in the Centralised Service from the list prepared under Rule 19 or Rule 20, as the case may be. (2) The Government may also make appointment in temporary vacancies for a period exceeding six weeks from among the persons from the list prepared under Rules 19 and 20. (3) If no approved candidate is available for appointment the Government may either make a temporary appointment by deputation of an officer serving under the State Government or may appoint a candidate who is eligible under the rules for permanent recruitment to the Centralised Service. No such appointment shall extend beyond the period of one year without consultation with the Commission. (4) If a vacancy arises in any post for a period not exceeding six weeks, temporary arrangement may be made by the Vice-Chancellor concerned by appointment of a person eligible under the rules.

22. Probation

. - (1) A person on appointment to the Centralised Service in or against a substantive vacancy, shall be placed on probation for a period of two years : Provided that continuous service rendered in an officiating or temporary capacity in a post included in the cadre of the Centralised Service may be allowed, in whole or in part, to be counted by the State Government towards the period of probation : Provided further that the Government may, for sufficient reasons to be recorded in writing, extend the period of probation in individual cases for a further period not exceeding two years. Any such order of extension shall specify the exact period for which the probationary period is extended. (2) If during or at the end of the period of probation or extended period of probation, it is found that the person concerned has not made sufficient use of his opportunities or has otherwise failed to come up to the standard expected of him, he may be reverted to his substantive post, if any, or if he does not hold a lien on any post his services may be dispensed with without entitling him to any compensation.

23. Confirmation

. - A probationer shall be confirmed in his appointment at the end of the period of probation or the extended period of probation, as the case may be, if his work and conduct are satisfactory and his integrity is certified by the Vice-Chancellor of the University in which he has, during the period of probation, worked.

24. Seniority

. - (1) Seniority in any category of posts in the Centralised Service shall be determined by the date of the order of appointment in substantive capacity to that category provided that if two or more candidates are appointed on the same date, their seniority inter se shall be determined according to the order in which their names appear in the list prepared under Rule 19 or 20.(2)Seniority of the officers in Service at the commencement of these rules may be determined in any category of posts on the basis of total length of continuous service followed by confirmation in that category.(3)If a dispute arise in regard to the seniority of an Officer, the manner shall be decided by orders of the Government which shall be final.Note - A candidate appointed directly may lose his seniority if he fails to join without valid reasons when a vacancy is offered to him. Whether the reasons in a particular case are valid or not shall be subject to the decision of the State Government.

25. Transfer

. - The State Government may transfer any member of the Centralised Service from one University to another.

Part VIII – Other Provisions

26. Paying Authority

. - Subject to the provision of these rules, the pay and allowances of persons appointed to Centralised Service shall be paid by the University in which such person is for the time being posted.

27. Pay during probation

. - (1) A person on probation, if he is not already in the permanent service of a University shall draw during the period of probation, the minimum pay of the post for the first year and increments as they accrue, provided that, if the period of probation is extended on account of failure to give satisfaction, the extended period shall not count for increment unless the Government so directs.(2)The pay during the period of probation of a person who is already holding a substantive post in the service of a University before recruitment to the Centralised Service, shall be regulated in accordance with the relevant rules relating to the pay of the employees of the University.

28. Criteria for crossing efficiency bars

. - (1) No member of the Centralised Service shall be allowed to cross the first efficiency bar unless he is found to have worked satisfactorily and to the best of his ability and his integrity is certified by the Vice-Chancellor of the University in which he has worked.(2)No member of the Centralised Service shall be allowed to cross the Second and subsequent efficiency bars, if any, unless he has given full satisfaction by his work, conduct, integrity and ability.(3)Orders allowing a member of the Centralised Service to cross the efficiency bar and allowing the increment next above the bar shall be

issued by the University in which he is for the time being posted.(4)On each occasion on which a member of the Centralised Service is allowed to cross an efficiency bar which had previously been withheld, his pay, with effect from the date of crossing the bar shall be fixed in the time-scale at such stage as the University may decide.

29. Canvassing

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

30. Leave, Leave allowances, officiating pay, fees and honoraria

. - (1) Except as otherwise provided in these rules, all matters relating to leave and leave-salary shall be regulated in the manner laid down in the leave rules applicable to the Government Servants of like status and all amendments thereto together with all explanations and clarifications issued from time to time shall, mutatis mutandis, apply.(2)Grant of pay, including officiating and additional pay, special pay, honorarium compensatory allowance, subsistence allowance, to a member of the Centralised Service and the acceptance of fees, if any, shall be regulated on the same terms and conditions as are applicable to the Government servants of the same status under the U.P. Fundamental and Subsidiary Rules contained in the U.P. Financial Hand-Book, Volume II, Parts II-IV.(3)Except as expressly provided in these rules, the provisions of the U.P. Fundamental and Subsidiary Rules contained in the Financial Hand-Book, Volume II, Parts II-IV and travelling allowance rules contained in Financial Hand-Book, Volume III, shall, mutatis mutandis, apply.Notes - (i) The corresponding authorities competent to exercise various powers under the said Hand-Book for purposes of these rules shall be such as Government may, by order, determine from time to time.(ii)In the event of doubt about the applicability of the rules etc. the decision of the Government shall be final.

31. Incidence of leave charges, etc

. - The incidence of leave charges, transit, pay and allowances including travelling allowance of a member of the Centralised Service transferred from one University to another, shall be regulated in accordance with the following principles :(a)When a member of the service is transferred from one University to another, his transit pay and allowances shall be borne by the University to which he is transferred.(b)Before the member of the service is allowed to draw his pay and allowances in the University to which he has been transferred, the member shall produce a certificate from the Finance Officer of the University in which he has been serving before such transfer, to the effect that such member has not drawn any such pay or allowances.(c)Leave salary shall be borne by the University from where such member proceeds on leave.

32. Existing Provident Fund rules to continue

. - Till such time as a common Provident Fund for the Centralised Service is established, the members of the Service shall, unless otherwise provided in these rules, continue to be governed by the Provident Fund Regulations or Rules of the University in which they are posted for the time being :Provided that notwithstanding anything contained in the regulations or the rules of such University, the minimum amount of subscription to be made by a member of such service to the Fund shall be an amount calculated at the rate of ten percent of his salary (which term shall mean pay, leave salary or subsistence grant as defined in Financial Hand-Book, Volume II) and the contribution thereto be made by the University shall be at the rate of twelve percent of his salary in the case of a subscriber drawing a salary of Rs. 500/- and ten percent in the case of a subscriber drawing a salary of more than Rs. 500/- but not exceeding Rs. 1,000/- and eight percent in each case of a subscriber drawing a salary of Rs. 1,000/- or above, both amounts being separately rounded to the nearest whole rupee (50 paise or more counting as the next higher rupee):Provided further that a member of the Centralised Service, who was governed by any General Provident Fund Regulations or Rules of a University immediately before his absorption in or appointment to such service shall, notwithstanding anything contained in these Rules, continue to be governed by such General Provident Fund Regulations or Rules, as the case may be, in the following manner :(i)the subscription on account of General Provident Fund of such a member shall be deducted every month from his pay by the University in which he is posted for the time being;(ii)the said University shall pay every month to the University in which such an officer was employed immediately before his absorption in or appointment to the Centralised Service his subscription to the General Provident Fund; and(iii)the University where such an officer was employed immediately before his absorption or appointment shall be liable to pay General Provident Fund to him after his retirement and to the members of his family in accordance with the said General Provident Fund Regulations or Rules, as the case may be.

33. Provident Fund in the case of transfer

. - Immediately upon transfer of a member of the Centralised Service from one University to another, otherwise than in a leave arrangement not exceeding 120 days, a new Provident Fund Account shall be opened in the name of such member under the University to which he has been transferred and the Vice-Chancellor of the University from where he has been transferred shall, within thirty days from the date of such transfer, forward to the University to which he has been transferred, a full and complete account of the member's Provident Fund and cause to be transferred to his new account the amount standing to his credit in the old account alongwith interest calculated upto the month in which the account is so transferred. All further interest on such amount as from the next succeeding month, shall be payable by the University where the new account has been opened.

34. Intimation to be sent promptly

. - In the circumstances other than those mentioned in Rule 33 the member of the Centralised Service shall continue to subscribe to his existing Provident Fund and tender such further amounts

as may be required of him in connection therewith and the University administering the Fund shall continue to credit its own contribution thereto, and it shall be incumbent on the University to which the officer has been transferred to inform with all reasonable despatch the University from where such member has been transferred, the exact amount of his emoluments. Intimation about every change therein shall similarly be sent promptly.

35. Responsibility of the University

. - The responsibility for payment upon an amount becoming due shall devolve on the University which is responsible for maintaining the Provident Fund for the time being.

36. Disciplinary proceedings

. - (1) Subject to such modifications as the State Government may make from time to time and subject to the provisions of sub-rules (2) to (9), the rules relating to disciplinary proceedings, appeals and representations against punishment, applicable to the employees of the State Government shall mutatis mutandis apply to the members of the Centralised Service. (2) The power to start disciplinary proceedings and to impose - (a) the punishment of dismissal or removal from service or reduction in rank on the members of the Centralised Service shall vest in the State Government; and (b) other punishments shall vest in the Vice-Chancellor of the University in which the member of such service is for the time being posted : Provided that it shall be necessary to consult the Commission before passing an order imposing any of the punishments referred to in clause (a). (3) Where disciplinary proceedings against a member of the Centralised Service have been started in accordance with the provisions of sub-rule (2) - (a) by the Vice-Chancellor and after the completion of inquiry, he comes to a provisional conclusion that a punishment referred to in clause (a) of sub-rule (2) is called for, he shall refer the case along with his findings and recommendations to the State Government for orders; (b) by the State Government and, during or after the completion of inquiry, it comes to a provisional conclusion that a punishment to which clause (b) of sub-rule (2) applies is called for, it shall refer the case to the Vice-Chancellor who shall pass such orders as he deems fit, and shall send a report of the action taken to the State Government. (4) Notwithstanding anything contained in sub-rules (1) to (3), the State Government may direct the Vice-Chancellor of a University in which any member of the Centralised Service is for the time being posted to start disciplinary proceedings against him and to inform it of the result thereof or, as the case may be, refer the case to the State Government for its final orders under clause (a) of sub-rule (3). (5) Where the Vice-Chancellor of any University wants to start disciplinary proceeding against a member of the Centralised Service, who has been transferred to some other University, he shall submit a report to the State Government to that effect, and thereupon, the State Government may - (i) itself proceed in accordance with clause (a) of sub-rule (2); or (ii) direct the Vice-Chancellor of the first-mentioned University to start and conclude the inquiry in accordance with clause (b) of the said sub-rule or, as the case may be, refer the case to the State Government for its final order under clause (a) of sub-rule (3); or (iii) direct the Vice-Chancellor of the University in which such member is for the time being posted to start and conclude the inquiry against such member and inform the State Government of the result thereof or, as the case may be, refer the case to the State Government for its final order under clause (a) of sub-rule (3). (6) Where the Vice-Chancellor of a University is

competent to start disciplinary proceedings under this rule, he may hold the inquiry himself or may appoint any other officer of the University for the purpose.(7)The State Government may, at any stage, transfer any proceedings under this rule from one officer to another officer in the same University, or from the Vice-Chancellor of one University to the Vice-Chancellor of any other University and, unless any direction is issued to the contrary, the officer or the Vice-Chancellor to whom such proceedings are transferred shall continue the proceedings from the stage at which it was so transferred.(8)During the course of inquiry under this rule, the Vice-Chancellor or the officer appointed by him as inquiry officer under sub-rule (6) may exercise all the powers of the inquiring authority under the Uttar Pradesh Departmental Inquiries (Enforcement of Attendance of Witnesses and Production of Documents) Act, 1976.(9)Notwithstanding anything contained in these rules, it shall be lawful for the State Government to direct that the disciplinary proceedings against any member of the Centralised Service may be started in respect of any act or omission relating to the period before the date of his absorption in such service under Rule 7 and thereupon the provisions of sub-rules (1) to (8) shall mutatis mutandis apply.

37. Age of retirement

. - (1) Subject to the provisions of sub-rule (2), the age of retirement from service of the member of the Centralised service shall be 60 years beyond which no one shall be retained in the Service.(2)The State Government may require a member of the Centralised Service to retire on his attaining the age of 57 years on three month's notice or pay in lieu of the whole or part thereof if the State Government considers it necessary to do so in public interest.(3)A member of the Centralised Service, may, on attaining the age of 57 years, voluntarily retire after giving three months' notice to the State Government. In case of the member against whom disciplinary proceedings are pending or contemplated, this notice shall be effective only when it is accepted by the State Government. A notice once given under this sub-rule shall not be withdrawn without the permission of the State Government.

38. Reference to the State Government

. - (1) If any dispute arises as to liability of a University for payment of salary, travelling allowance, Provident Fund or any other dues to a member of the Centralised Service, or if any dispute or difficulty arises regarding interpretation of any of the provisions of these rules, the same shall be referred to the State Government whose decision thereon shall be final and conclusive.(2)Matters not covered by these rules shall be governed by such rules or orders as the State Government may from time to time make.

39. Power to grant exemption

. - Notwithstanding anything contained in these rules, where the State Government is satisfied that the operation of any of the provision of these rules causes undue hardship in any particular case, it may in consultation with the Commission by order dispense with or relax the requirements of that provision to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner.

40. Power to delegate

. - The State Government may, by notification published in the Official Gazette, delegate any of its powers under these rules, to any person or authority on such conditions as it thinks fit.[Substituted by Notification. No. 482/LXX-1-2005-15(16)-2005, dated 30.9.2005.]