

U.P. Institute of Research, Development and Training Non-Gazetted Technical Service Rules, 1993

UTTAR PRADESH

India

U.P. Institute of Research, Development and Training Non-Gazetted Technical Service Rules, 1993

Rule

U-P-INSTITUTE-OF-RESEARCH-DEVELOPMENT-AND-TRAINING-NON of 1993

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U.P. Institute of Research, Development and Training Non-Gazetted Technical Service Rules, 1993Published vide Notification No. 1547/7-Nayaya-O-119-92, dated the 7th October, 1993In 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 the conditions of service of persons appoint, to the Uttar Pradesh Institute of Research, Development and Training, Non-Gazetted Technical Service :

Part I – General

1. Short title and commencement.

(1)These rules may be called the Uttar Pradesh Institute of Research, Development and Training Non-Gazetted Technical Service Rules, 1993.(2)They shall come into force at once.

2. Status of the Service.

- The Uttar Pradesh Institute of Research, Development and Training, Non-Gazetted Technical Service comprises Group "C" posts.

3. Definitions.

- In these rules, unless there is anything repugnant in the subject or context,-(a)"Appointing authority" means the Chief Inspector;(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 Subordinate Services Selection Commission;(d)"Constitution" means the Constitution of India;(e)"Director" means the Director, Institute of Research, Development and Training, Kanpur;(f)"Government" means the State Government of Uttar Pradesh;(g)"Governor" means the Governor of Uttar Pradesh;(h)"Institute" means Institute of Research, Development and Training, Uttar Pradesh, Kanpur;(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 Institute of Research, Development and Training, Non-Gazetted Technical Service; and(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 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:Provided that -(i)the appointing authority may leave unfilled or the Governor may hold in abeyance any vacant post, without thereby entitling any person to compensation; or(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 as mentioned in Column 2 of the Appendix II.

6. Reservation.

- Reservation 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 recruitment.

Part IV – Qualifications

7. Nationality.

- A candidate for recruitment to a post in the Service must be-(a)a citizen of India; or(b)a Tibetan refugee who came over to India before the 1st January, 1962, with the intention of permanently settling in India; or(c)a person of Indian origin who has migrated for 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 recruitment to a post in the service must possess the qualifications as shown in Appendix-III.

9. Preferential qualification.

- A candidate who has-(i)served in the Territorial Army for a minimum period of two years; or(ii)obtained a '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 recruitment must have attained the age of 21 years and must not have attained the age of more than 32 years on the first day of July of the calendar year in which vacancies for direct recruitment are advertised or notified :Provided that the upper age limit in the case of candidates belonging to the Scheduled Castes, Scheduled Tribes and such other categories as may be notified by the Government from time to time, shall be greater by such number of years as may be specified.

11. Character.

- The character of a candidate for 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 by 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 a 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, he shall be required to produce a Medical Certificate of fitness in accordance with the rules framed under Fundamental Rule 10 contained in Chapter III of the Financial Handbook, Volume II, Part III :Provided that a Medical Certificate of fitness shall not be required from a candidate recruited by promotion.

Part V

Procedure For Recruitment

14. Determination of vacancies.

- The appointing authority shall determine the number of vacancies to be filled during the course of the year of recruitment as also the number of vacancies to be reserved for the candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories under Rule 6. The vacancies to be filled through direct recruitment through the Commission shall be intimated to them. The vacancies to be filled through direct recruitment through Selection Committee shall be notified to the Employment Exchange.

15. Procedure for direct recruitment through the Commission.

(1)Applications for being considered for selection shall be invited by the Commission in the prescribed form published in the advertisement issued by the Commission.(2)The Commission shall, having regard to the need for securing due representation of the candidates belong 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 the 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 the vacancies. The Commission shall forward the list to the appointing authority.

16. Procedure for direct recruitment through the Selection Committee.

(1) For the purpose of recruitment there shall be constituted a Selection Committee as follows : (i) appointing authority; (ii) an officer belonging to Scheduled Castes or Scheduled Tribes, nominated by the District Magistrate if the appointing authority does not belong to Scheduled Castes/Scheduled Tribes. If the appointing authority belongs to Scheduled Castes or Scheduled Tribes, an officer other than belonging to Scheduled Castes or Scheduled Tribes, to be nominated by the District Magistrate; and (iii) two officers nominated by the appointing authority, one of whom shall be an officer belonging to minority community and the other belonging to Backward Class. If such suitable officers are not available in his department or organisation, such suitable officer or officers, as the case may be, shall, on the request of the appointing authority, be nominated by the District Magistrate and on his failure to do so by reason of non-availability of suitable officers, such officers shall be nominated by the Divisional Commissioner. (2) The Selection Committee 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 it considers proper. (3) The Selection Committee shall prepare list of the 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 Selection Committee shall arrange their names in order of merit on the basis of their general suitability for the post. The number of names in the list shall be larger (but not larger by more than 25 percent) than the number of vacancies. The Selection Committee shall forward the list to the appointing authority.

Part VI

Appointment, Probation, Confirmation and Seniority

17. Appointment.

(1) Subject to the provisions of sub-rule (2), the appointing authority shall make appointment by taking the names of candidates in the order in which they stand in the lists prepared under Rule 15 or 16, as the case may be. (2) If more than one order of appointments are issued in respect of any one selection, a combined order shall also be issued, mentioning names of the persons in order of seniority as determined in the selection.

18. Probation.

(1) A person on substantive appointment to a post in the Service shall be placed on probation for a period of two years. (2) The appointing authority may, for reasons to be recorded, extend the period of probation in individual cases, specifying the date up to 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 that a probationer has not made sufficient use of his opportunities or has otherwise failed to give satisfaction, his services may be dispensed with. (4) A probationer whose services are dispensed with under sub-rule (3) shall not be entitled to any compensation. (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.

19. Confirmation.

(1) 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; (b) his integrity is certified; and (c) the appointing authority is satisfied that he is otherwise fit for confirmation.

20. Seniority.

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

Part VII – Pay, Etc.

21. Scales of pay.

(1) The scales of pay admissible to persons appointed to the various categories of posts in the service 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 given below :

Name of the post	Scale of pay	
1	2	
1.	(a) Research Assistant	Rs. 1400-40-1600-50-2300-E.B.-60-2600.
	(b) Research Assistant/ Technical Assistant	Rs. 1400-40-1600-50-2300-E.B.-60-2600.

2.	Programmer	Rs. 1400-40-1600-50-2300-E.B.-60-2600.
3.	Computer Operator	Rs. 1400-40-1600-50-2300-E.B.-60-2600.
4.	Artist Graphic	Rs. 1400-40-1800-E.B.-50-2300.
5.	Commercial Artist	Rs. 1400-40-1800-E.B.-50-2300.
6.	Photographer	Rs. 1400-40-1800-E.B.-50-2300.
7.	Draftsman	Rs. 1200-30-1560-E.B.-40-2040.
8.	Lab Assistant	Rs. 975-25-1150-E.B.-30-1660.
9.	Driver	Rs. 950-20-1150-E.B.-25-1500.

22. 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 already holding in permanent Government service shall be regulated by relevant rules, applicable generally to Government servants serving in connection with the affairs of the State.

23. Criteria for crossing efficiency bar.

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

Part VIII

Other Provisions

24. 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.

25. 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.

26. Relaxation from the conditions of service.

- When 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 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.

27. 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 issued by the Government from time to time in this regard. Appendix I [See Rule 4(2)] Strength of service and Cadres

Sl. No.	Designation of the posts	Number of post	
	Permanent Temporary	Total	
1	2	3	4 5
1.	(a) Research Assistant	1	... 1
	(b) Research Assistant/ Technical Assistant	...	3 3
2.	Programmer	...	1 1
3.	Computer Operator	...	1 1
4.	Artist Graphic	...	1 1
5.	Commercial Artist	...	1 1
6.	Photographer	...	1 1
7.	Draftsman	...	2 2
8.	Lab Assistant	...	1 1
9.	Driver	1	1 2

Appendix II [See Rule 5]

Post Sources of recruitment

1	2	
1.	(a) Research Assistant	
	(b) Research Assistant/ Technical Assistant	By direct recruitment through the Commission.
2.	Programmer	Ditto.
3.	Computer Operator	Ditto.
4.	Artist Graphic	By direct recruitment through Selection Committee.
5.	Commercial Artist	Ditto.
6.	Photographer	Ditto.

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| 7. | Draftsman | Ditto. |
| 8. | Lab Assistant | Ditto. |
| 9. | Driver | Ditto. |

Appendix III[See Rule 8]

Serial No.	Name of Post	Qualification
1.	Research Assistant	(i) Must possess Diploma in Electrical Engineering from an Institute recognised by the Government.(ii) Must have two years' Teaching experience.
2.	Research Assistant/ Technical Assistant	(i) Must possess a Diploma in concerned branch of Engineering from an Institute recognised by the Government.(ii) Must have five years' Teaching/ Industrial experience.
3.	Programmer	A Bachelor's Degree with Physics and Mathematics, knowledge to run computer system and Diploma in Electronics.Or B.Sc. with Mathematics and Physics, and three years' experience in computer operations.Or Diploma in Electronics or Electronics Engineering and four years' related experience.
4.	Computer Operator	Ditto.
5.	Artist Graphic	(i) Must have passed High School Examination from the Board of High School and Intermediate Education, Uttar Pradesh, or an Examination recognised by the Government as equivalent thereto.(ii) Diploma in Art. (Three years duration) from an Institution recognised by the Government.
6.	Commercial Artist	(i) Must have passed High School Examination from the Board of High School and Intermediate Education, Uttar Pradesh, or an Examination recognised by the Government as equivalent thereto.(ii) Diploma in Commercial Art. (Three years duration) from an Institution recognised by the Government.
7.	Photographer	(i) Must have passed Intermediate Examination from the Board of High School and Intermediate Education, Uttar Pradesh, or an Examination recognised by the Government as equivalent thereto.(ii) Diploma in Photography (Two years duration) from an Institution recognised by the Government.
8.	Draftsman	(i) Must have passed High School Examination from the Board of High School and Intermediate Education, Uttar Pradesh, or an Examination recognised by the Government as equivalent thereto.(ii) A certificate in Draftsmanship from an Institution recognised by the Government.
9.	Lab Assistant	

Diploma in Photography (Two years duration) from an Institution recognised by the Government. Or A Bachelor's Degree in Science with Mathematics, Physics and Chemistry as subjects from University established by law in India or Degree recognised by Government as equivalent thereto.

Essential: (i) Must have passed Class VIII Examination; and (ii) Must possess valid driving licence for a period of not less than 3 years preceding the date of notification of vacancies. Preferential: (i) High School Examination from the Board of High School and Intermediate Education, Uttar Pradesh or a qualification recognised by the Government as equivalent thereto. (ii) Knowledge of vehicle mechanism.

10. Driver