

The Uttarakhand Zila Panchayat (Central Transferable Cadre of Appar Mukhya Adhikari) Rules, 2007

UTTARAKHAND

India

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Rule

THE-UTTARAKHAND-ZILA-PANCHAYAT-CENTRAL-TRANSFERABLE- of 2007

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The Uttarakhand Zila Panchayat (Central Transferable Cadre of Appar Mukhya Adhikari) Rules, 2007 Published vide Notification No. 26/12/07/90(32)/2006, dated 22nd February, 2007 In exercise of the powers under Section 237 read with Section 44 of the Uttar Pradesh Kshettra Samitis and Zila Parishad Adhiniyam, 1961 (U.P. Act No. 33 of 1961), (as amended from time to time and as applicable to the State of Uttaranchal) the Governor is pleased to make the following rules :

Part I – General

1. Short title and commencement.

(1) These rules may be called the Uttarakhand Zila Panchayat (Central Transferable Cadre of Appar Mukhya Adhikari) Rules, 2007. (2) They shall come into force with effect from the date of their publication in the Gazette.

2. Definitions.

- In these rules, unless there is anything repugnant in the subject or context, -(a) "Appointing Authority" means the Governor; (b) "Cadre" means the Central Transferable Cadre of Appar Mukhya Adhikari is created under Rule 3; (c) "Government" means the Government of Uttarakhand Pradesh; (d) "Governor" means the Governor of Uttarakhand Pradesh; (e) "Selection Committee" means the Selection Committee constituted under Rule 8; (f) "State" means the State of Uttarakhand Pradesh; (g) "Substantive Appointment" means an appointment, not being an adhoc appointment or

an appointment on deputation on a post in the cadre, made after selection in accordance with these rules.

Part II – Cadre and Strength

3. Creation of cadre.

- There shall be a Central Transferable Cadre of the post of Appar Mukhya Adhikari of Zila Panchayat.

4. Strength.

(1)The strength of the Cadre created under Rule 3 shall be such as the Government may from time to time determine.(2)All these 13 posts of Appar Mukhya Adhikaris existing immediately before the commencement of these rules shall until orders varying the same are passed under sub-rule (1), from the present permanent strength of the Cadre.

Part III – Recruitment

5. Source of recruitment.

(1)Recruitment to a post in the Cadre shall be made from the following sources, namely :(a)60 per cent by promotion from amongst substantively appointed Karya Adhikari of Zila Panchayat;(b)20 per cent by promotion from amongst substantively appointed Abhiyanta (Engineer) of Zila Panchayat;(c)20 per cent by deputation in accordance with sub-rule (2).(2)The Government may appoint any Government Servant on deputation to a post in the Cadre.

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 – Procedure for Recruitment

7. Determination of vacancies.

- The appointing authority shall determine and intimate to the Selection Committee the number of vacancies to be filled during the course of the year as also the number of vacancies to be reserved for candidates belonging to Scheduled Castes, Scheduled Tribes and other categories under Rule 6.

8. Procedure for recruitment.

(1) Recruitment to a post in the Cadre shall be made by promotion on the basis of seniority subject to rejection of unfit through a Selection Committee constituted as follows :

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| (a) Secretary to the Government in the Panchayat Raj Department | ... Chairman |
| (b) Secretary to the Government in the Personal Department or his nominee not below the rank of Joint Secretary | ... Member |
| (c) Secretary to the Government in the Social Welfare Department or his nominee not below the rank of Joint Secretary | ... Member |
| (d) Director, Panchayati Raj Uttaranchal Pradesh | ... Member |
| (e) Joint Secretary to the Government in the Panchayati Raj Department nominated by its Secretary | ... Member |

(2) The appointing authority shall prepare an eligibility list of candidates arranged in order of seniority as it stood in the cadre from which they are to be promoted and place it before the Selection Committee along with their up-to-date character rolls and such other records pertaining to them as may be considered proper. (3) The Selection Committee shall consider the cases of the candidates on the basis of the records referred to in sub-rule (2) and prepare a list of selected candidates arranged in order of seniority as it stood in the cadre from which they are to be promoted. The Selection Committee shall forward the list to the appointing authority.

Part V – Appointment Probation, Confirmation, Seniority and Transfer

9. Appointment.

(1) The appointing authority shall make appointments by taking the names of candidates in the order in which they stand in the list prepared under Rule 8.

10. Appointments to be notified.

- All appointments made under these rules shall be notified in the Gazette.

11. Probation.

(1) A person substantively appointed to a post in the cadre shall be placed on probation for a period of two years. (2) The appointing authority may for reasons to be recorded in writing 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 he may be reverted to his substantive post 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 service are dispensed with under sub-rule (3) shall not be entitled to any compensation.

12. Confirmation.

- A probationer shall be confirmed in his appointment at the end of the period of probation or extended period of probation if-(a)his work and conduct is reported to be satisfactory;(b)his integrity is certified; and(c)the appointing authority is satisfied that he is otherwise fit for confirmation.

13. Seniority.

- Seniority of person substantively appointed to a post in the cadre shall be determined by the date of order of substantive appointment and if two or more persons are appointed together, by the order or in which names are arranged in the appointment order.

14. Posting and transfer.

- The Government may post any officer of the Cadre to any Zila Panchayat and transfer him from one Zila Panchayat to another.

15. Scale of pay.

(1)The scale of pay admissible to persons appointed to the Cadre shall be such as may be determined by the Government from time to time.(2)The scale of pay at the commencement of these rules are Rs. 10,000-325-15,200.

16. Pay during probation.

- A person on probation shall be allowed his first increment in the time scale when he has completed one year of satisfactory service and undergone training, if any, 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.

Part VI – Other Provisions

17. Canvassing.

- No recommendation, either written or oral, other than those required under these rules 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.

18. Regulation of other matters.

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

19. Relaxation from the rules.

- Where the Government is satisfied that the operation of any rule regulating the condition of service of the persons appointed to the cadres causes undue hardship in any particular case, it may, notwithstanding anything contained in these rules applicable to the case by order, relax or dispense with 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.

20. 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 the Government orders issued from time to time in this regard.