

# **The U.P. Food and Civil Supplies (Supply Branch) Subordinate Service Rules, 1980**

UTTAR PRADESH

India

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### **Rule**

### **THE-U-P-FOOD-AND-CIVIL-SUPPLIES-SUPPLY-BRANCH-SUBORDINATE SERVICE RULES, 1980**

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## **Part I – General**

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

- (i) These rules may be called the Uttar Pradesh Food and Civil Supplies (Supply Branch) Subordinate Service Rules, 1980.(ii) They shall come into force at once.

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

- The Uttar Pradesh Food and Civil Supplies (Supplies Branch) Subordinate Service comprises Group 'C' posts.

### **3. Definitions.**

- In these rules, unless the context otherwise requires,-(i)[ "appointing authority" means the Commissioner;] [Substituted by Notification No. 2743/29-2-93-504/80-TC, dated 27th September, 1993](ii)"Citizen of India" means a person who is or is deemed to be a citizen of India under Part II of the Constitution;(iii)[ "Commission" means the Uttar Pradesh Subordinate Services Selection

Commission;] [Substituted by Notification No. 2743/29-2-93-504/80-TC, dated 27th September, 1993](iv)"Commissioner" means the Commissioner, Food and Civil Supplies, Uttar Pradesh;(v)"Constitution" means the Constitution of India;(vi)"Government" means the Government of Uttar Pradesh;(vii)"Governor" means the Governor of Uttar Pradesh;(viii)[ "Member of the Service" means a person appointed in a substantive capacity under these rules or orders in force prior to the commencement of these rules to a post in the cadre of the service; [Substituted by Notification No. 2743/29-2-93-504/80-TC, dated 27th September, 1993](ix)"Service" means the Uttar Pradesh Food and Civil Supplies (Supply Branch) Subordinate Service;(x)"Substantive appointment" means an appointment, not being an ad hoc appointment, on a post in the cadre of the Service made after selection in accordance with the rules and if there are no rules, in accordance with the procedure prescribed for the time being by executive instructions, issued by the Government; and(xi)"Year of recruitment" means a period of twelve months commencing from the first day of a calendar year.]

## Part II – Cadre

### 4. Strength of service.

(1)The strength of the service and of each category of posts therein shall be such as may be determined by the Governor from time to time.(2)The strength of the service and of each category of posts therein shall until orders varying the same have been passed under sub-rule (1) be-

Category of post	Number of posts	
Permanent	Temporary	
(a) Inspector	533	369
(b) Senior Inspector	94	83

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; and(ii)the Governor may create such additional, temporary or permanent posts from time to time as may be found necessary.

## Part III – Recruitment

### 5. [ Source of recruitment. [Substituted by Notification No. 2743/XXIX-2-93-504/80-TC, dated 27th September, 1993.]

- Recruitment to the various categories of posts in the Service shall be made from the following sources :(1)Inspector.-(a) Seventy-five per cent by direct recruitment through the Commission; and(b)Twenty-five per cent by promotion through Selection Committee from amongst substantively appointed such incumbents of the posts of the categories mentioned in clauses (i) and (ii) below as have completed five years of service on any one or more of the posts of the said categories on the first day of the year of recruitment-(i)Senior Assistant.-Accountant, Senior Clerk, Accounts Clerk and Junior Clerk/Typist to the extent of twenty per cent of the post, and(ii)Stenographer.-To the

extent of five per cent of the posts.(iii)Senior Inspector.-By promotion through Selection Committee from amongst substantively appointed Inspector who have completed at least five years' service as such on the first day of the year of recruitment.]

## **6. Reservation.**

- Reservation for the candidates belonging to Scheduled Castes, Scheduled Tribes and other categories shall be in accordance with orders of the Government in force at the time of the recruitment.

## **Part IV – Qualifications**

### **7. Nationality.**

- A candidate for direct recruitment to a post in the service must be-(a)a citizen of India, or(b)a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or(c)a person of Indian origin who 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 Brandy Uttar Pradesh :Provided also that if a candidate belongs to category 'C' above, no certificate of eligibility will be issued for a period of more than one year and the retention of such a candidate in service beyond a period of one year shall be subject to his acquiring Indian citizenship.Note.-A candidate in whose case a certificate of eligibility is necessary but the same has neither been issued nor refused, may be admitted to an examination or interview and he may also be provisionally appointed subject to the necessary certificate being obtained by him or issued in his favour.

### **8. Academic qualifications.**

- A candidate for direct recruitment to a post in the service must hold a degree of a recognised University or any other qualification recognised by the Government as equivalent thereto and he must also possess good knowledge of Hindi in Devanagri Script.

### **9. Preferential qualifications.**

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

## **10. [ Age. [Substituted by Notification No. 2743/29-2-93-504/80-TC, dated 27th September, 1993.]**

- A candidate for direct recruitment to a post in the Service 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 the 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 other categories, as may be notified by the Government from time to time, shall be greater by such number of years as may be specified.]

## **11. Character.**

- The character of a candidate for direct recruitment to a post in the Service must be such as to render him suitable in all respects for employment in Government Service. The appointing authority shall satisfy itself on this point. Note.-Persons dismissed by the Union Government or 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 the service. Any person who has been convicted by a court of law for 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 any 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 person shall be appointed to the 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 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 and 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. [Substituted by Notification No. 2743/29-2-93-504/80-TC, dated 27th September, 1993.]**

- The appointing authority shall determine the number of vacancies to be filled in 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 the Commission shall be intimated to them.]

**15. [ Procedure for direct recruitment. [Substituted by Notification No. 2743/29-2-93-504/80-TC, dated 27th September, 1993.]**

(1) Applications for permission to appear in the competitive examination shall be called in the form published in the advertisement issued by the Commission. (2) No candidate shall be admitted to the examination unless he holds a certificate of admission issued by the Commission. (3) 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 other categories 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. (4) The Commission shall prepare a list of the candidate 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 obtained equal marks in the aggregate, the name of the candidate obtaining higher marks in the written examination shall be placed higher in the list and if they obtain equal marks in the written examination as well, the candidate elder in age shall be placed higher in the list. The number of names in the list shall be larger (but not larger by more than twenty five per cent) than the number of vacancies. The Commission shall forward the list to the appointing authority.]

**16. [ Procedure for recruitment by promotion. [Substituted by Notification No. 2743/29-2-93-504/80-TC, dated 27th September, 1993.]**

(1) Recruitment by promotion shall be made on the basis of seniority subject to the rejection of the unfit, through the Selection Committee comprising-

- |  |              |
|--|--------------|
| (i) Commissioner   | ... Chairman |
| (ii) Additional Commissioner, Food and Civil Supplies, Uttar Pradesh | ... Member   |
| (iii) An officer nominated by the Commissioner.                      | ... Member   |

If name of the members of the Selection Committee underclauses (i) to (iii)  
(iv) belongs to Scheduled Castes or Scheduled Tribes, an officer belonging to Scheduled Caste or Scheduled Tribe nominated by the Commissioner.

If none of the members of the Selection Committee underclauses (i) to (iii)  
(v) belongs to backward class, an officer belonging to backward class nominated by the Commissioner.

(2) The appointing authority shall prepare eligibility list of the 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 necessary :Provided that where promotion to any category of posts is to be made from more than one feeder cadre, eligibility list shall be prepared at the State level by arranging the names of the persons in the field of eligibility in order of seniority as determined by the dates of their substantive appointment on their respective posts and where two or more persons were appointed as such on the same date, the person older in age shall be placed higher in the list. In so arranging the names, the inter se seniority of persons holding the same post shall not be disturbed :Provided further that where posts in the feeder cadres are in different scales of pay, names of persons in higher scale of pay shall be placed in the eligibility list first and the names of persons holding posts in lower scale of pay shall be placed thereafter.(3)The Selection Committee shall consider the cases of candidates on the basis of the records, referred to in sub-rule (2), and if it considers necessary, it may also interview the candidates.(4)The Selection Committee shall prepare a list of selected candidates in accordance with the orders of the Government in force at the time of recruitment and forward the same to the appointing authority.]

## **17. Combined selection list.**

- If appointment has to be made both by direct recruitment and by promotion, a combined select list shall be prepared by taking the names of candidates alternately from the list prepared under Rule 15 and Rule 16, the first name being from the list prepared under Rule 16.

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

### **18. Appointment.**

(1)The Commissioner shall be the Appointing Authority for the post of Senior Inspector and the District Magistrate of the District in which the appointment is to be made shall be the Appointing Authority for the post of Inspector.(2)On the occurrence of substantive vacancies in the posts of Senior Inspector, the appointing authority shall make appointments by taking candidates in the order in which they stand in the list prepared under Rule 15, 16 or 17, as the case may be.(3)The Appointing Authority may make appointments in temporary or officiating vacancies in the posts of Senior Inspector from the lists referred to in sub-rule (2). If no candidate borne on these lists is available for appointment, appointment in such vacancies may be made for a .period not exceeding one year in each case from a list of persons, eligible for promotion under these Rules prepared by the Commissioner, the names in which shall be arranged in order of seniority.(4)(a)On receipt of the lists of candidates selected for the posts of Inspector under Rules 15 and 16 from the Commission, the Commissioner shall make allotment of the selected candidates to the various districts for appointment against the vacancies existing in these districts. The choice indicating in the order of preference for appointment in any one of three districts (other than the home district of the candidate) may be obtained from each selected candidate and allotment to the various districts may as far as possible be made keeping in view the preferences of candidates but, above everything, the needs and exigencies of administration shall be the overriding factor. If any candidate is not willing

to accept the appointment in the district of his allotment the name of such candidate shall be delisted without any claim for compensation. In the event of any difficulty in the process of allotment of the candidates, the Commissioner will obtain general or special orders from the Government, which shall be final.(b)Appointment against temporary and officiating vacancies may also be made by the Appointing Authority by obtaining names of listed or eligible candidates from the Commissioner :Provided that appointment, in any such vacancy of a candidate not borne on the list prepared under Rule 15 or Rule 16 shall be made for a period not exceeding one year.

**19. [ Probation. [Substituted by Notification No. 2743/29-2-93-504/80-TC, dated 27th September, 1993.]**

(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, 16 or 17, 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 17.(3)If more than one orders of appointments are issued in respect of any one selection, a combined order shall also be issued, mentioning the names of the persons in order of seniority as determined in the selection or, as the case may be, as it stood in the cadre from which they are promoted. If the appointments are made both by direct recruitment and by promotion, names shall be arranged in accordance with the cyclic order, referred to in Rule 17.]

**20. [ Confirmation. [Substituted by Notification No. 2743/29-2-93-504/80-TC, dated 27th September, 1993.]**

(1)Subject to the provisions of sub-rule (2) a probationer shall be confirmed in his appointment at the end of 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.(2)Where, in accordance with the provisions of the Uttar Pradesh State Government Servant's Confirmation Rules, 1991, confirmation is not necessary, the order under sub-rule (3) of rule 5 of those rules declaring that the person concerned has successfully completed the probation shall be deemed to be the order of confirmation.]

**21. [ Seniority. [Substituted by Notification No. 2743/29-2-93-504/80-TC, dated 27th September, 1993.]**

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

## **Part VII – Pay, etc.**

### **22. [ [Scales of pay] [Substituted by Notification No. 2743/29-2-93-504/80-TC, dated 27th September, 1993].**

(1)The scales of pay admissible to persons appointed to the various categories of post in the Service shall be such as may be determined by the Government from time to time.(2)The scales of pay in force with effect from January 1, 1986 are given below :

1. Inspector                      Rs. 1350-30-1440-40-1800-E.B.-50-2200.
2. Senior Inspector      Rs. 1400-40-1600-50-2300-E.B.-60-2600.]

### **23. 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 to draw 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, has passed prescribed departmental examination and is also confirmed :Provided that if the period of probation is extended on account of failure to give satisfaction, such extension shall not count for increment unless the appointing authority directs otherwise.(2)The pay during probation of a person who was already holding a post under the Government shall be regulated by the relevant Fundamental Rules :Provided that if the period of probation is extended on account of failure to give satisfaction, such extension shall not count for increment unless the appointing authority directs otherwise.(3)The pay during probation of a person already in permanent Government service shall be regulated by the relevant rules applicable to Government servants generally serving in connection with the affairs of the State.

### **24. [ Criteria for crossing efficiency bar.**

- No person shall be allowed to cross the efficiency bar unless-(i)his work and conduct are found to be satisfactory, and(ii)his integrity is certified.]

## **Part VIII – Other Provisions**

### **25. Canvassing.**

- No recommendation, 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.



## **26. Regulation for other matters.**

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

## **27. Relaxation from conditions 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 be case by order, dispense with or relax the requirements of that rule to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner :Provided that where a rule was made in consultation with the Commission, that body shall be consulted before the requirements of that rule are relaxed or dispensed with.

## **28. Savings.**

- Nothing in these rules shall effect 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.