

# **U.P. Government Department Dietician Cadre Service Rules, 2015**

UTTAR PRADESH

India

## **U.P. Government Department Dietician Cadre Service Rules, 2015**

### **Rule**

### **U-P-GOVERNMENT-DEPARTMENT-DIETICIAN-CADRE-SERVICE-RULES of 2015**

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U.P. Government Department Dietician Cadre Service Rules, 2015 Published vide Notification No. 66/2015/Ve.Va.Ne(Prakosh)-169/ten-2015, dated December 22, 2015, published in the U.P. Gazette, Extraordinary, Part 4, Section (Ka), dated 22nd December, 2015, pp. 6-10 No. 66/2015/Ve.Va.Ne(Prakosh)-169/ten-2015, dated December 22, 2015, published in the U.P. Gazette, Extraordinary, Part 4, Section (Ka), dated 22nd December, 2015, pp. 6-10. - In exercise of the powers conferred by the proviso of 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 services of persons appointed to the Uttar Pradesh Government Department Dietician Cadre Service: Part-I General

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

(1) These rules may be called the Uttar Pradesh Government Department Dietician Cadre Service Rules, 2015. (2) They shall come into force at once.

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

- The Dietician Cadre Service in a Government Department comprises Group 'C' posts.

### **3. Application of these rules.**

- These rules shall apply to the posts of Dietician cadre in a Government Department excluding the Uttar Pradesh Secretariat, of the offices of the State Legislature, Lok Ayukta, Public Service Commission, High Court, the Subordinate Courts under the control and superintendence of the High Court, the Advocate General, Uttar Pradesh and of the establishments under the control of Advocate General.

### **4. Overriding effect.**

- These rules shall have effect notwithstanding anything to the contrary contained in any other rules made by the Governor under the proviso to Article 309 of the Constitution, or orders, for the time being in force.

### **5. Definitions.**

- In these rules, unless there is anything repugnant in the subject or context -(a)'Act' means the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes) Act, 1994;(b)'Appointing Authority' means an authority empowered to make appointment to a post of the Dietician Cadre Service in a Government Department under relevant service rules or executive instructions, as the case may be;(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 Subordinate Service Selection Commission;(e)'Constitution' means the Constitution of India;(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)'Other Backward Classes of Citizens' means the backward classes of citizens specified in Schedule I of the Act, as amended from time to time;(j)'Service' means the Uttar Pradesh Government Department Dietician Cadre Service;(k)'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 were no rules, in accordance with the procedure prescribed for the time being by executive instructions issued by the Government;(l)'Year of Recruitment' means a period of twelve months commencing on the first day of July of a calendar year.

## **Part II – Cadre**

### **6. Cadre of service.**

(1)The strength of the service in a Government Department shall be such as may be determined by the Government from time to time.(2)The strength of the service in a Government Department shall, until orders varying the same are passed under sub-rule (1), be as determined in the Government order issued by the concerned Administrative Departments in accordance with the

decisions contained in the Government Order No. Va. Aa-2-2040/Ten-54(M)/2008 T.C., dated August 17, 2010: 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**

### **7. Source of recruitment.**

- Recruitment to the post of Dietician in the service shall be made by direct recruitment through the Commission.

### **8. Reservation.**

- Reservation for the candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories shall be in accordance with the Act, and the Uttar Pradesh Public Services (Reservation for Physically Handicapped, Dependents of Freedom Fighters and Ex-Servicemen) Act, 1993, as amended from time to time, and the orders of the Government in force at the time of the recruitment.

## **Part IV – Qualifications**

### **9. 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 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 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.

## **10. Age.**

- A candidate for direct recruitment must have attained the age of twenty-one years and must not have attained the age of more than forty years on the first day of July of the calendar year in which vacancies for direct recruitment are advertised: 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. Academic qualification.**

- A candidate for direct recruitment to the post of Dietician in the service must possess the following qualifications: (i) Bachelor's Degree (Home Science and Home Economics) or B.Sc. Degree in Food and Nutrition from a recognized University/Institute. (ii) One year Post-Graduate Diploma in Dietetics and Public Health Nutrition from a recognized University/Institute and three months apprenticeship. (iii) One year's experience in a recognized Hospital.

## **12. 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.

## **13. 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 any post in the service. Persons convicted of an offence involving moral turpitude shall also be ineligible.

## **14. 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.

## **15. 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 Hand-Book, Volume II, Part III.

## **Part V – Procedure for recruitment**

### **16. 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 of recruitment as also the number of vacancies to be reserved for candidates belonging to Scheduled Castes, Scheduled Tribes and other categories under Rule 8.

### **17. Procedure for direct recruitment.**

- Direct recruitment shall be made in accordance with the Uttar Pradesh Direct Recruitment to Group 'C' Posts (Mode and Procedure) Rules, 2015, as amended from time to time.

## **Part VI – Appointment, probation, confirmation and Seniority**

### **18. 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 17.(2)If more than one order of appointment are issued in respect of anyone selection, a combined order shall also be issued, mentioning the names of the persons in order of seniority as determined in the selection.

### **19. Probation.**

(1)A person on substantive appointment to a post in the service shall be placed on probation in accordance with the Uttar Pradesh Government Servants Probation Rules, 2013.(2)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.(3)A probationer whose services are dispensed with under sub-rule (2) shall not be entitled to any compensation.

### **20. Confirmation.**

- (i) 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 is reported to be satisfactory,(b)his integrity is certified, and(c)the appointing authority is satisfied that he is otherwise fit for confirmation.

## **21. Seniority.**

- The seniority of persons substantively appointed to a post in the service 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. Scale of pay.**

(1)The scale of pay admissible to persons appointed to a post in the service shall be such as may be determined by the Government from time to time.

Name of Post   Scale pay

Pay Band        Grade Pay

Dietician        Pay Band-2 (Rs 9300-34800)   Rs 4200

### **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 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 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 generally to Government servants serving in connection with the affairs of the State.

## **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 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.

## **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.**

- Where the State Government is satisfied that the operation of any rule regulating the conditions of service of person 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 of the Government issued from time to time in this regard.