

# The U.P. District Panchayat Raj Officers Service Rules, 1979

UTTAR PRADESH

India

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### Rule

### THE-U-P-DISTRICT-PANCHAYAT-RAJ-OFFICERS-SERVICE-RULES-1979 of 1979

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The U.P. District Panchayat Raj Officers Service Rules, 1979Published vide Notification No. 2524-Ka/33-1-67-77, dated June 18, 1979, published in U.P. Gazette (Extraordinary), dated 18th June, 1979In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and in supersession of all existing rules and orders on the subject, the Governor is pleased to make the following rules regulating recruitment to the post in and the conditions of service of persons appointed to the Uttar Pradesh District Panchayat Raj Officers Service:

## Part I – General

### 1. Short title and commencement.

(1)These rules may be called the Uttar Pradesh District Panchayat Raj Officers Service Rules, 1979.(2)They shall come into force at once.

### 2. Status of the service.

- The Uttar Pradesh District Panchayat Raj Officers Service is a gazetted service comprising Group 'B' posts.

### 3. Definitions.

- In these rules, unless there is anything repugnant in the subject or context, ;(a)'appointing authority' means the Director of Panchayat Raj, Uttar Pradesh;(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 Public Service Commission; .(d)'Constitution' means the Constitution of India;(e)'Government' means the State Government of Uttar Pradesh;(f)'Governor' means the Governor of Uttar Pradesh;(g)'Member of the Service' means a person appointed in a substantive capacity under the rules or the orders in force prior to the commencement of these rules to a post in the cadre of the service; and(h)'service' means the Uttar Pradesh District Panchayat Raj Officers Service.

## **Part II – Cadre**

### **4. Cadre of service.**

(1)The strength of the service shall be such as may be determined by the Governor from time to time.(2)The strength of the service until orders varying the same are passed shall be 57 :Provided that -(1)the appointing authority may leave unfilled or the Governor may hold in abeyance any vacant post, without thereby entitling any person to compensation, and(2)the Governor may by notification in the official Gazette create such additional, permanent or temporary posts from time to time as he may consider necessary.

## **Part III – Recruitment**

### **5. Source of recruitment.**

- Recruitment to the posts in the service shall be made from the following sources:(1)Fifty per cent by promotion from amongst the Assistant Development Officers (Panchayat-cum-Social Education) and Panchayat Inspectors (Industries) who have put in at least five years service in permanent, temporary or officiating capacity;(2)Fifty per cent by direct recruitment through competitive examination.

### **6. Reservation for Scheduled Castes, Scheduled Tribes and others.**

- 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.Note. - Copies of the Government Orders in force at the time of commencement of these rules are given in Appendix 'A'.

## **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, Ceylon 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.

## **8. Academic qualification.**

- A candidate for direct recruitment to the post in the service must possess at least a Bachelor's Degree from a recognised University or an equivalent qualification.

## **9. Preferential qualification.**

- A candidate who possesses one or more of the following qualifications, shall, other things being equal, be given preference in the matter of direct recruitment-(i)served in the Territorial Army for a minimum period of two years, or(ii)obtained a 'B' certificate of National Cadet Corps, or(iii)obtained a degree in Law or a post-graduate degree in Social Services from a University recognised by the Government.

## **10. Age.**

- A candidate for direct recruitment must have attained the age of 21 years and must not have exceeded the age of 27 years on January 1 of the year following the year in which the examination is held :Provided that the upper age limit in the cases 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.Note. - Copies of the Government Orders regarding relaxation of age in force at the commencement of these rules are given in Appendix 'B'.

## **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 by 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 in the Government. 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 pass an examination by a Medical Board :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 and intimate to the Commission 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.

## **15. Procedure for direct recruitment.**

(1) Application for permission to appear in the competitive examination shall be called by the Commission in the prescribed form, which may be obtained from the Secretary to the Commission on payment. (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 have regard to the need for securing due representation of the candidates belonging to the Scheduled Castes, Scheduled Tribes and others 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 candidates 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. The number of names in the list shall be equal to the number of vacancies notified. The Commission shall forward the list to the appointing authority.

## **16. Procedure for recruitment by promotion.**

- Selection by promotion shall be made on the basis of seniority subject to the rejection of the unfit in accordance with the Uttar Pradesh Promotion by Selection in Consultation with Public Service Commission (Procedure) Rules, 1970 as amended from time to time. Note. - Copy of the Uttar Pradesh Promotion by Selection in Consultation with Public Service Commission (Procedure) Rules, 1970 is given in Appendix 'C'.

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

- A combined select list shall be prepared by taking the names of candidates alternately in such manner that prescribed percentage of direct recruits and promotees is maintained 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) On the occurrence of substantive vacancies, the appointing authority shall make appointment by taking candidates in the order in which they stand in the list prepared under Rule 17. (2) The appointing authority may make appointments in temporary and officiating vacancies also from the lists, referred to in sub-rule (1). If no candidate borne on these lists is available, he may make appointment in such vacancies from persons eligible for appointment under these rules.

### **19. Probation.**

(1) A person on appointment to a post in the service in or against a substantive vacancy 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 upto which the extension is granted. (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, if any, 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 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 an officiating or temporary capacity 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.

### **20. Confirmation.**

- A probationer shall be confirmed in his appointment at the end of the period of probation or the extended period of probation if-(a) he has passed the prescribed departmental examination, if

any;(b)he has successfully undergone the prescribed training, if any;(c)his work and conduct is reported to be satisfactory;(d)his integrity is certified; and(e)the appointing authority is satisfied that he is otherwise fit for confirmation.

## **21. Seniority.**

- Except as provided hereunder, seniority will be determined by the date of order of substantive appointment, and where more than one person are appointed together, by the order in which their names are arranged in the said order,-(i)The relative seniority among themselves of direct recruits will be the same as the order of merit determined by the Commission at the time of their selection ;(ii)The inter se seniority of persons appointed by promotion shall be determined by the date of their appointment in a substantive capacity provided if more than one persons are appointed on the same date, their names shall be arranged according to their seniority in the substantive post held by them at the time of promotion.Note. - (i) Where the appointment order specifies a particular back date with effect from which a person is to be appointed substantively (which has to be made on probation against a clear vacancy on a permanent post) that date will be deemed to be the date of order of substantive appointment. In other cases, it will mean the date of issue of the order.(ii)If any direct recruit takes unusually long time in joining without any reasonable cause, he may be placed below other persons in the gradation list after obtaining prior approval of the Commission.

## **Part VII – Pay Etc.**

### **22. Scale of pay.**

(1)The scale of pay admissible to persons appointed to the posts in the service after the coming into force of these rules, whether in a substantive or officiating capacity or as a temporary measure, shall be such as may be determined by the Government from time to time.(2)The scale of pay of the posts in service at the time of the commencement of these rules will be Rs.

450-25-575-EB-30-725-EB-35-900-50-950.

### **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 and had passed departmental examination and undergone training, where prescribed and second increments 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 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 Uttar Pradesh.

## **24. Criterion for crossing efficiency bar.**

- No person shall be allowed to cross-(i)the first efficiency bar unless he is found to have acquired sufficient knowledge of his work and has done sufficient touring and inspection work and made night halts according to the instructions issued from time to time, his work and conduct is generally also found to be satisfactory and unless his integrity is certified;(ii)the second efficiency bar unless he is found to have worked steadily and to the best of his ability and is capable of managing the office well, has a good control over his subordinates and his work and conduct is generally also found to be satisfactory and unless his integrity is certified.

## **Part VIII – Other Provisions**

### **25. Canvassing.**

- No recommendations, either written or oral other than those required under these rules applicable to the post in the 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 from appointment.

### **26. Regulation of 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 Uttar Pradesh.

### **27. 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:Provided that where a rule was framed in consultation with the Commission that body shall be consulted before the requirements of the rule and relaxed or dispensed with.Appendix 'B' (1)[Vide Notification No. O-2882/II-B-134-52, dated November 26, 1952]In exercise of the powers conferred by the provision to Article 309 of the Constitution of India, and in partial modification of the order issued in Notification No. 6969/II-B-42-42, dated December 7, 1944, the Governor of Uttar Pradesh is pleased to make the following general rule regarding the age of recruitment of candidates of the Scheduled Castes to a non-gazetted service or post in connection with the affairs of Uttar Pradesh."Notwithstanding anything contained in any rule regarding the age of recruitment to any non-gazetted post or posts in a civil service in connection with the affairs of Uttar Pradesh, the maximum age limit shall, in the

case of a candidate of the Scheduled Castes, be larger by 5 years than in the case of candidates not belonging to Scheduled Castes."