

The U.P. Cottage and Rural Industries Group 'D' Service Rules, 1993

UTTAR PRADESH

India

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Rule

THE-U-P-COTTAGE-AND-RURAL-INDUSTRIES-GROUP-D-SERVICE-RULES of 1993

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Part I – General

1. Short title and commencement.

- (i) These rules may be called the Uttar Pradesh Cottage and Rural Industries Group 'D' Service Rules, 1993.(ii)They shall come into force at once.

2. Status of the service.

- The Uttar Pradesh Cottage and Rural Industries Group 'D' Service is a service comprising Group 'D' posts.

3. Definitions.

- In these rules unless there is anything repugnant in the subject or context, -(a)'Appointing authority' means the Joint Director, Cottage and Rural Industries Directorate, 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)'Constitution' means the Constitution of India;(d)'Government' means the

State Government of Uttar Pradesh;(e)'Governor' means the Governor of Uttar Pradesh;(f)'Directorate' means the Cottage and Rural Industries Directorate, Uttar Pradesh;(g)'High Court' means the High Court of Judicature at Allahabad including its Bench of Lucknow;(h)'Director' means the Director, Cottage and Rural Industries Directorate, Uttar Pradesh;(i)'Headquarter' means Office of the Director, Cottage and Rural Industries Directorate, Uttar Pradesh;(j)'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;(k)'Service' means the Uttar Pradesh Cottage and Rural Industries Group 'D' Service;(l)'Year of recruitment' means a period of twelve months commencing from the first day of July of a calendar year.(m)'Substantive appointment' means an appointment, not being an ad hoc appointment, on a post in the cadre of the Service and 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.

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 under :

Name of the post	Number of posts		
Permanent	Temporary	Total	
Peon	-	3	3

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, or(2)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 service shall be made by direct recruitment.

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 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 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 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.

- (i) A candidate for recruitment to the post in the service must have passed at least class fifth examination.(ii)A candidate for recruitment to a post in the service must know cycling of provided that this condition shall not be applicable to female candidates.

9. Preferential qualification.

- A candidate who has-(1)served in territorial army for a minimum period of two years,(2)obtained 'B' Certificate of National Cadet Corps, shall, other things being equal be given preference in the matter of recruitment.

10. Age.

- A candidate for direct recruitment must have attained the age of 21 years and must not have attained the age of 32 years on the first day of July of the calendar year in which vacancies for recruitment are notified to the Employment Exchange :Provided that the upper age limit in the case of candidate 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 direct recruitment must be such as to render him suitable in all respects for employment in the establishment. It shall be the duty of the appointing authority to satisfy himself on this point. Note - Persons dismissed by the Union Government or a State Government by a Local authority or a Corporation or a Body owned or controlled by the Union Government or a State Government shall be ineligible for appointment to a post in the service, person 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 post in the service :Provided that the Governor may, if satisfied that there exists 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 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 by direct recruitment 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 Hand Book, Volume II, Part III.

Part V – Procedure for Recruitment

14. Determination of vacancies.

- The appointing authority shall determine and notify to the Employment Exchange, in accordance with rules and orders for the time being in force, 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. Appointing authority may also invite applications directly from the persons who have registered their names in the Employment Exchange. For this purpose the appointing authority shall issue an advertisement in a local daily newspaper besides pasting the notices for the same on the notice board. All these applications shall not be put to the Selection Committee.

15. Procedure for physical fitness.

(1) For the purpose of recruitment there shall be constituted a selection committee comprising ;

(i) Appointing authority

... Chairman.

- (ii) Three officers nominated by the appointing authority belonging respectively to : ... Member.
- (a) Scheduled Castes or Scheduled Tribes.
 - (b) Minority community,
 - (c) Backward class :

Provided that if the appointing authority belongs to Scheduled Castes or Scheduled Tribes or Minority community or backward class the number of the & nominees or the appointing authority shall be reduced accordingly.(2)The selection committee shall scrutinise the applications and require the eligible candidates to appear in an interview.(3)The selection committee shall prepare a list of the candidates in order of merit as disclosed by the marks obtained by them in the interview. If two or more candidates obtained 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 twenty-five percent) than the number of vacancies.

Part VI – Appointment, Probation, Confirmation and Seniority

16. Appointment.

- (i) The appointing authority shall make appointments by taking the names of the candidates in the order in which their names appear in the list prepared under rule 15.(ii)If more than one order of appointment are issued in respect of any one selection, a combined order shall be issued, mentioning the names of the persons in order of seniority as determined in the selection.

17. Probation.

(1)A person on substantive appointment to a post in the service shall be placed on probation for a period of one year.(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 the period of probation shall not be extended beyond one year.(3)If it appears to the appointing authority at any time during or at the end of the period for probation or extended period of probation that a probationer or he is 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 an officiating or temporary capacity in a post included in the cadre of any other equivalent or higher post to be taken into account for the purpose of computing the period of probation.

18. Confirmation.

(1)Subject to the provision of sub-rule (2) 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 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 provision of the Uttar

Pradesh State Government Servants Confirmation Rules, 1991, as amended from time to time, 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.

19. Seniority.

- 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.

20. 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 who has 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 VII – Pay Etc.

21. 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. (2) The scale of pay at the time of commencement of these rules is Rs. 750-12- 870-E.B.- 14-940.

22. Criteria for crossing the efficiency bar.

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

Part VIII – Other Provisions

23. Canvassing.

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

24. 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 the State.

25. Relaxation from the 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 the age, 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.

26. 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.