

The U.P. Directorate of Education Ministerial Service Rules, 1983

UTTAR PRADESH

India

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Rule

THE-U-P-DIRECTORATE-OF-EDUCATION-MINISTERIAL-SERVICE-RULES of 1983

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Part I – General

1. Short title and commencement.

(1)These Rules may be called the Uttar Pradesh Directorate of Education Ministerial Service Rules, 1983.(2)They shall come into force at once.

2. Status of the service.

- The Uttar Pradesh Directorate of Education Ministerial Service is a Service Comprising Group 'C' posts.

3. Definitions.

- In these rules, unless there is anything repugnant in the subject or context,-(a)'appointing authority' means the Additional Director of Education (Secondary);(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)'Director' means the Director of Education, Uttar Pradesh and includes Additional Director of Education;(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 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;(h)'Service' means the Uttar Pradesh Directorate of Education on Ministerial service;(i)'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 instruction, issued by the Government.(j)'year of recruitment' means a period of twelve months commencing from the first day of July of a calendar year.

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 given in Appendix 'A' 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;(ii)the Governor may create such additional, permanent or temporary posts as he may consider proper.

5. Source of Recruitment.

- Recruitment to the various categories of posts in the service shall be made from the following sources :

Part II – Recruitment

Name of posts	Source of Recruitment
(1) Routine Clerks	(1) By direct recruitment in accordance with the provisions of the Subordinate Offices Ministerial Staff (Direct Recruitment) Rules, 1975 as amended from time to time. (2) By promotion of Group 'D' employees to the extent of 10 per cent of the vacancies in accordance with the proviso to Rule 7 of the Subordinate Offices Ministerial Staff (Direct Recruitment) Rules, 1975 as amended from time to time.
(2) Junior Noter and Drafter	By promotion from amongst such permanent Routine Clerks in the Directors Office as have put in at least five years service as such.
(3) Senior Noter and Drafter	By promotion from amongst such permanent Junior Noter and Drafter ... in Director's Office as have put in at least 3 years service including temporary service as such.
(4) Head Clerks	By promotion from amongst such permanent Senior Noter and Drafter ... in the Director's Office as have put in at least 2 years service including temporary service as such.

- (5) Head Assistant ... By promotion from amongst permanent Head Clerks in Director's Office.
- (6) Stenographer Grade II ... By direct recruitment.
- (7) Stenographer Grade I ... By promotion from amongst permanent Stenographer Grade II in Director's Office.
- (8) Stenographer (Attached to Director of Education) ... By promotion from amongst permanent Stenographer Grade I in Director's Office.

6. Reservation.

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

Part III – 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;(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.

8. Academic qualification.

- A candidate for direct recruitment to the various posts in the service must possess the following qualifications :

Post	Qualifications
(1) Routine Clerks ...	

As prescribed in the Subordinate Offices Ministerial Staff (Direct Recruitment) Rules, 1975, as amended from time to time.

(2) Stenographer
Grade II

... (1) Intermediate Examination of the Board of High School and Intermediate Education, Uttar Pradesh or an examination recognised by the Government as equivalent thereto; and

Good working knowledge of Hindi written in Devnagri Script with a ... (2) speed of 80 words per minute in Hindi shorthand and 30 words per minute in Hindi typewriting.

Preference will be given to those, who also know English Shorthand and typewriting.

9. 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 and other thing being equal, be given preference in the matter of direct recruitment.

10. Age.

- A candidate for direct recruitment must have attained the age of 21 years and must not have attained the age of more than 28 years on January 1 of the year in which recruitment is to be made, if the posts are advertised during the period January 1 to June 30, and on July 1 if the posts advertised during the period July 1 to December 31: 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. 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 a Local Authority or by a Corporation or by a Body owned or controlled by the Union Government or a State shall be ineligible for appointment to any post in the Service. 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 Government 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 appointing 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: Provided that a medical certificate of fitness shall not be required from a candidate recruited by promotion.

Part IV – Procedure for Recruitment

14. Determination on vacancies.

- The appointing authority shall determine 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. The vacancies to be filled by direct recruitment shall be notified to the Employment Exchange, in accordance with the rules and orders for the time being in force.

15. Procedure for direct recruitment to the post of Routine Clerks.

- Recruitment to the post of Routine Clerks shall be made in accordance with the procedure laid down in the Subordinate Offices Ministerial Staff (Direct Recruitment) Rules, 1975 as amended from time to time.

16. Procedure for direct recruitment to the post of Stenographer Grade II.

(1) For the purpose of recruitment to the post of Stenographer Grade II, there shall be constituted a Selection Committee comprising-

(1) Additional Director of Education (Madhyamik) ... Chairman.

(2) Additional Director of Education (Basic) ... Member.

(3) Joint Director of Education (Higher Education) ... Member.

(2) The appointing authority shall scrutinize the applications and require the eligible candidates to appear in a competitive examination and interview. Note. - The syllabus and procedure for competitive examination is given in Appendix 'B'. (3) After the marks obtained by the candidates in the written test have been tabulated, the Selection Committee shall have regard to the need for securing due representation of the candidates belonging to Scheduled Castes, Scheduled Tribes and other categories in accordance with Rule 6, call for interview such number of candidates as on the result of the written examination have come up to the standard fixed by the committee in this respect. The marks awarded to each candidate in the interview shall be added to the marks obtained by him in the written test. (4) If Selection Committee shall prepare a list of candidates in order of

merit, as disclosed by aggregate of marks obtained by them in the written test and interview. If two or more candidates obtained equal marks, the candidates obtaining higher marks in the written test shall be placed higher. The number of names in the list shall be larger (but not larger by more than 25 per cent) than the number of vacancies.

17. Procedure for recruitment by promotion.

(1) Recruitment by promotion shall be made on the basis of seniority subject to the rejection of the unfit through the Selection Committee constituted under Rule 16. (2) The appointing authority shall prepare an eligibility list of the candidates, arranged in order of seniority, and place it before the Selection Committee along with their character roll and such other record, pertaining to them, as may be considered proper. (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 interview the candidates also. (4) The Selection Committee shall prepare a list of selected candidates arranged in order of seniority and forward the same to the appointing authority.

Part V – 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 lists prepared under Rules 15, 16 or 17 as the case may be. (2) The appointing authority may make appointments in temporary or officiating capacity also from the lists referred to in sub-rule (1). If no candidate before on these lists is available, he may make appointments in such vacancy from amongst persons eligible for appointment under these rules. Such appointments shall not last for a period exceeding one year or beyond the next selection under these rules whichever be earlier.

19. Probation.

(1) A person on appointment to a post in the service in or against a permanent vacancy 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 circumstances 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, 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)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.

21. Seniority.

(1)Except as hereinafter provided, the seniority of persons in any category of post shall be determined from the date of the order of substantive appointment and if two or more persons are appointed together, by the order in which their names are arranged in the appointment order:Provided that if the appointment order specified at particular back date with effect from which a person is substantively appointed, that date will be deemed to be the date of order of substantive appointment and, in other cases it will mean the date of issue of the order.(2)The seniority inter se of persons appointed directly on the result of any one selection, shall be the same as determined by the Selection Committee :Provided that a candidate recruited directly may lose his seniority if he fails to join without valid reasons when vacancy is offered to him, the decision of the appointing authority as to the validity of reason shall be final.(3)The seniority inter se of persons appointed by promotion shall be the same as it was in the cadre from which they were promoted.

Part VI – Pay Etc.

22. Scales of pay.

(1)The scales of pay admissible to persons appointed to the various categories of posts in the service, 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 scales of pay at the time of the commencement of those rules are given as follows :

Name of post	Scale of pay* Rs.
1. Routine Clerks	... 354-10-424-E.B.-10-454-12-514-E.B.-12-550.
2. Junior Noter and Drafter	... 430-12-490-15-520-E.B.-15-640-E.B.-15-685.
3. Senior Noter and Drafter	... 515-15-590-18-626-E.B.-18-680-20-780-E.B.-20-860.
4. Head Clerks	... 570-25-770-E.B.-30-980-E.B.-30-1,100.
5. Head Assistant	... 625-30-835-E.B.-30-925-35-1,065-E.B.-35-1,240-E.B.-40-1,360.
6. Stenographer, Grade II	... 470-15-575-E.B.-15-650-17-701-E.B.-17-735.
7. Stenographer, Grade I	... 515-15-590-18-626-E.B.-18-680-20-780-E.B.-20-860.
8. Stenographer (attached to Director of Education)	... 625-30-835-E.B.-30-925-35-1,065-E.B.-35-1,240-E.B.-40-1,360.

*For latest Pay Scale please see current G.O.

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

24. Criterion of crossing efficiency bars.

(1)No Head Clerk or Head Assistant shall be allowed to cross the efficiency bar unless he has worked diligently and to the best of his ability, his work and conduct are found to be satisfactory and unless his integrity is certified.(2)A person not covered by sub-rule (1) shall not be allowed to cross-(i)the first efficiency bar unless his work and conduct are found to be satisfactory and unless his integrity is certified, and(ii)the second and third efficiency bars unless he has worked diligently and to the best of his ability, his work and conduct are found to be satisfactory and unless his integrity is certified.

Part VII – Other Provisions

25. Canvassing.

- No recommendations, 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 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.

27. Relaxation from the institutions service.

- Where the State Government is satisfied that the operation of any rule regulating the conditions of service of a 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.

28. Saving.

- 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. Appendix 'A' [Referred to in Rule 4 (2)] The strength of Ministerial Service and of each category of post therein at the time of the commencement of these Rules;

Serial No.	Name of Post	Number of sanctioned post	
		Permanent	Temporary
1	2	3	4
1.	Routine Clerk	161	29
2.	Stenographer Grade II	23	14
3.	Stenographer Grade I	4	...
4.	Junior Noter and Drafter	154	22
5.	Senior Noter and Drafter	130	32
6.	Head Clerk	56	4
7.	Head Assistant	7	1
8.	Stenographer (attached to Director of Education)	1	...

Appendix 'B' (Referred to in Rule 16) (Syllabus for the test of Stenographers)

1. The subject of the test and the maximum marks on each subject shall be as follows :

1. Stenography (Hindi) ... 100 Marks
2. Hindi Composition ... 50 Marks
3. Interview ... 50 Marks

- 2. The test in stenography will consist of dictation of a passage in Hindi for five minutes at the speed of 80 words per minute. One hour will be allowed for transcribing and typing the Short Hand record of dictation. The passage will be selected with a view to testing the candidates not only in their speed in stenography but also in their knowledge of good and idiomatic Hindi. No candidate will be considered to have qualified for employment, whose percentage or errors exceeds 5 in the test**
- 3. The test in Hindi composition will be of two hours' duration. Candidates will be required to write a letter and/or an essay on subject.**