

Uttaranchal Service of Junior Engineers (Group 'C') Minor-Irrigation (Irrigation Department) Rules, 2003

UTTARAKHAND

India

Uttaranchal Service of Junior Engineers (Group 'C') Minor-Irrigation (Irrigation Department) Rules, 2003

Rule

UTTARANCHAL-SERVICE-OF-JUNIOR-ENGINEERS-GROUP-C-MINOR of 2003

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Uttaranchal Service of Junior Engineers (Group 'C') Minor-Irrigation (Irrigation Department) Rules, 2003 Published vide Notification No. 249/9-1-Sin/2003, dated 17th October, 2003 In 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 and conditions of service of persons appointed to the Uttaranchal Service of junior Engineers, Minor-Irrigation (Irrigation Department):

Part I – General

1. Short title and commencement.

(1) These rules may be called the Uttaranchal Service of Junior Engineers (Group 'C') Minor-Irrigation (Irrigation Department) Rules, 2003. (2) They shall come into force at once.

2. Status of Service.

- The Uttaranchal Service of Junior Engineers, Minor-Irrigation (Irrigation Department) is a State service, comprising Group "C" posts.

3. Definitions.

- In these rules, unless there is anything repugnant, in the subject or context, -(a)"Appointing Authority" means an officer duly authorised by the Competent Authority;(b)"Committee" means the Selection Committee duly constituted by the Competent Authority;(c)"Constitution" means the Constitution of India;(d)"Governor" means the Governor of Uttaranchal;(e)"Government" means the State Government of Uttaranchal;(f)"Member of the Service" means a person substantively appointed under these rules or rules or orders in force prior to the commencement of these rules to a posts in the respective cadre of the Service;(g)"Service" means the Uttaranchal Service of Junior Engineers, Minor- Irrigation (Irrigation Department);(h)"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;(i)"Year of recruitment" means a period of twelve months, commencing from the first day of July of a calendar year;(j)"Head of Department" means Chief Engineer and Head of Department, Chief Engineer (Level-1), Irrigation Department;(k)"Chief Engineer" means Chief Engineer Level-2;(l)"Circle" means Office/Institution of Superintending Engineer of Minor-Irrigation Department; and(m)"Division" means office of equivalent institution of Executive Engineer of Minor-Irrigation Department.

Part II – Cadre

4. Cadre of the Service.

(1)The strength of the Service and of each category of posts therein shall be such as given in Appendix A or as determined by the State Government from time to time :Provided that the Governor may leave unfilled or may hold in abeyance any vacant post, without thereby entitling any person to compensation.

Part III – Recruitment

5. Source of recruitment.

- Recruitment to the Junior Engineer of posts in the Service shall be made from the following sources, namely :(A)Junior Engineer (Minor-Irrigation)/Hydrum-(1)75% posts shall be filled through direct recruitment from the candidates, who possess technical qualification, as in Column 5 of Appendix, in Agriculture, Civil and Mechanical cadre, from a recognized institution, having a proportion of direct recruitment of 50%, 30%, and 20% respectively.(2)25% posts are filled by promotion amongst such Technical/Hydrum Technician, who possess a technical qualification as in Column 5 in Appendix, and should have completed ten years of Service as on First July of the year of recruitment, through Selection Committee.

6. Reservation.

- Reservation for the candidates belonging to the Scheduled Castes, Scheduled Tribes, Backward Classes 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 as 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 also that a candidate belonging to category (b) or (c), will be expected that he obtains an eligibility certificate from Deputy Inspector General (Intelligence) or Police Department of Government: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, after 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, he may also be provisionally appointed, subject to the necessary certificate, being obtained by him or issued in his favour.

8. Academic qualification.

- For direct recruitment of Junior Engineer must possess a minimum technical qualification as mentioned in Column of Appendix A.

9. Preferential qualification.

- A candidate who has served in the Territorial Army for a minimum period of two years, or obtained a "B" Certificate of National Cadet Corps, things being equal, will be given preference in 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 35 years on the first day of July of the calendar year in which 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 such other

categories as may be notified by the State Government from time to time shall be more than 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 Government service. Appointing Authority will ensure himself in this respect. Note. - Persons dismissed by the Union Government or a State Government or by Local Authority or a Corporation or Body owned or controlled by the Union Government or 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.

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 State Government may, if satisfied that there exist special grounds for doing so, exempt any person from the operation for the rule.

13. Physical fitness.

- No candidate shall be appointed to a post in the Service unless he be in good mental and physical 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 a fitness certificate from Chief Medical Officer :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 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, Backward classes and other categories under Rule 6 and shall intimate to the Commission.

15. Procedure for direct recruitment.

(1) For direct recruitment the Head of Department shall constitute a Selection Committee as follows :

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| (i) Chief Engineer in-charge of the establishment | ... Chairman |
| (ii) Senior Staff Officer (H.O.D.) | ... Member |

(iii) Superintending Engineer (Karmik) ... Organizer

If any member of the above Committee is not from Schedule Caste/Tribe, then a member as nominated by the Appointing Authority shall be from Schedule Caste/Tribe, who should not be below one rank.(2)Chairman of the Committee shall invite the applications, by publishing the advertisement in the newspapers, from such candidates who possess the qualification as specified in Appendix and whose names are enrolled in the various Offices of Employment Exchange in Uttaranchal.(3)No candidate shall be admitted to the examination unless he holds a certificate of admission issued by the Selection Committee.(4)A Selection Committee shall conduct a written examination in the following subjects :

(A) Subjects of concern branch of engineering	... 50 Marks
(B) General Knowledge	... 20 Marks
(C) General Hindi	... 20 Marks
(D) Interview	... 10 Marks
Total	... 100 Marks

(5)The Committee shall invite the candidate for interview who have qualified the written examination and marks obtained in interview shall be added to marks obtained in written examination.(6)The Selection Committee shall prepare a list in the 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. The number of names in the list shall be larger (but not larger by more than 25 percent) than the number of vacancies. The Selection Committee shall forward the list to the Appointing Authority.

16. Procedure for recruitment by promotion.

(1)Recruitment by promotion to the post of Junior Engineer shall be made on the basis of seniority, subject to rejection of unfit, in accordance with "Uttaranchal Department Promotion by Selection Committee in Consultation with (Out of Public Service Commission Procedure) Rules, 2003", as amended from time to time.(2)The Committee shall prepare a list of the selected candidates in accordance with the seniority and submit to the Head of Department.

17. Combined Select List for the post of Junior Engineer.

- If in any year of recruitment appointments are made both by direct recruitment and by promotion, a combined list shall be prepared by taking the names of candidates from the relevant lists in such manner that the prescribed percentage is maintained, the first name in the list being of the person appointed by promotion.

Part VI – Appointment, Probation, Confirmation and Seniority

18. Appointment.

(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 Rules 15, 16 or 17 as the case may be. (2) Where, in any year of recruitment, appointments are to be made both by direct recruitment and by promotion, regular appointments shall not be made unless selection is made from both the sources and a combined list- is prepared in accordance with Rule 17. (3) If more than one orders of appointment 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.

19. Probation.

(1) A person substantively appointed to a post in the Service 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 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 on 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 satisfy, he may be reverted to substantive post, if any, and if is not holding a lien on any post, his services may be dispensed with. (4) A probationer, who is reverted to substantive post or whose services are dispensed with under sub-rule (3), shall not be entitled to any compensation.

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 been successful at departmental exam;(b) he has been successfully completed the training;(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.

- The Seniority of persons substantively appointed in any category of posts shall be determined in accordance with the "Uttaranchal Government Servants Seniority Rules, 2000", as amended from time to time.

Part VII – Pay etc.

22. Scales of pay.

- The scales of pay admissible to a person, appointed to a post in the cadre of the Service, shall be such as may be determined by the State Government from time to time.

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, including period of training and has passed the departmental examination and second increment after two years satisfactory Service, where 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.

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, 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.

25. Regulation of other matters.

- In regard to the matters, not specifically covered by the 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 condition of Service of person appointed to the Service causes undue hardship in any particular case, it may in consultation with the Commission notwithstanding anything contained in the rules applicable to the case, by order dispense with or relax the requirement 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 has been framed in consultation with the Commission that Commission shall be consulted before the requirement of the rules are dispensed with or relaxed.

27. Savings.

- Nothing in these rules shall affect reservation 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 [See Rule 5 (A) and 8]

Sl. No.	Name of post	Pay scale	No. of post	Technical Qualification
1.	Junior Engineer (Minor Irrigation)	5,000-8,000	125	1. Three years diploma in Agriculture, Civil or Mechanical Engineering from a Recognized Institute. 2. National certificate in Agriculture, Civil or Mechanical degree from National Institute of Technical Education.