

The U.P. Filaria (Non-gazetted) Service Rules, 1993

UTTAR PRADESH

India

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Rule THE-U-P-FILARIA-NON-GAZETTED-SERVICE-RULES-1993 of 1993

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Part I – General

1. Short title and commencement.

(1) These rules may be called the Uttar Pradesh Filaria (Non-Gazetted) Service Rules, 1993. (2) They shall come into force at once.

2. Status of the Service.

- The Uttar Pradesh Filaria (Non-Gazetted) Service comprises Groups 'C' and 'D' posts.

3. Definitions.

- In these rules, unless there is anything repugnant in the subject or context-(a)"appointing authority" in respect of the post of Biologist means Director, Medical and Health Services, Uttar Pradesh and in respect of the post of Filaria Inspector means Joint Director, Medical and Health Services and in respect of the posts of Insect Collector, Superior Field Worker and Field Worker means Chief Medical Officer;(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 Subordinate Services Selection Commission;(d)"Constitution" means the Constitution of India;(e)"Government" means the 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 Filaria (Non-Gazetted) 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 instructions issued by the Government;(j)"year of recruitment" means the period of twelve months commencing from the first day of July of a calendar year.

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 given in the Appendix to these rules.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

5. Source of Recruitment.

- Recruitment to the various categories of posts in the service shall be made from the following sources : (1)Biologist : (a)50% by direct recruitment through the Commission.(b)50% by promotion through the Selection Committee from amongst substantively appointed Filaria Inspectors, who have completed thirteen years service as such on the first day of the year of recruitment.(2)Filaria Inspector : By direct recruitment through the Commission.(3)Superior Field Worker : (a)50% by direct recruitment through the Commission.(b)50% by promotion through the Selection Committee from amongst substantively appointed Field workers who have completed 10 years of service as such on the first day of the year of recruitment.(4)Insect Collector : By direct recruitment through the Selection Committee.(5)Field Worker : By direct recruitment through the Selection Committee.

6. Reservation.

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

Part IV – Qualification.

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' and 'C' above must be a person in whose favour a certificate of eligibility has been issued by the Government : Provided further that a candidate belonging to category 'B' will also be required to obtain 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 the 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 : (1) Biologist.-Must possess Bachelors Degree in Science with Zoology as one of the subjects from a University established by law in India. (2) Filaria Inspector.-Must possess Bachelors Degree in Science with Science with Biology of the Board of High School and Intermediate Education, Uttar Pradesh, or an Examination recognised by the Government as equivalent thereto. (3) Superior Field Worker; and (4) Insect Worker.-Must have passed High School Examination of the Board of High School and Intermediate Education, Uttar Pradesh, or an Examination recognised by the Government as equivalent thereto. (5) Field Worker.-Must have passed Junior High School Examination or an equivalent Examination recognised by the Government as equivalent thereto.

9. Preferential qualifications.

- A candidate, who has-(i) served in the Territorial Army for a minimum period of two years, or (ii) obtained 'B' certificate of National Cadet Corps, shall, other things being equal, be given preference in the matter of direct recruitment.

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 thirty-two years on the 1st day of July of the calendar year in which vacancies for direct recruitment are advertised by the Commission or notified to the Employment Exchange, as the case may be : 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 local authority or by 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.

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, should 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 appointment, he shall be required to produce a Medical Certificate of fitness in accordance with the rules framed under 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 V – Procedure for Recruitment

14. Determination of vacancies.

- The appointing authority shall determine and intimate to the Commission, or shall notify to the Employment Exchange, as the case may be, 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 the Scheduled Castes, Scheduled Tribes and other categories under Rule 6.

15. Procedure for direct recruitment through the Commission.

(1)Application for being considered for selection for direct recruitment shall be invited by the Commission in the prescribed Form published in the advertisement issued by the Commission.(2)The Commission shall, having regard to the need for securing due representation of

the candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories in accordance with Rule 6 call for interview such number of candidates, who fulfil the requisite qualifications, as they consider proper.(3)The Commission shall prepare a list of candidates in order of their proficiency as disclosed by the marks obtained by each candidate in the interview. If two or more candidates obtained equal marks, the Commission shall arrange their names in order of merit on the basis of their general suitability for the service. The number of the names in the list shall be larger (but not larger by more than 25 per cent) than the number of vacancies. The Commission shall forward the list to the appointing authority.

16. Procedure for direct recruitment through the Selection Committee.

(1)For the purpose of recruitment, there shall be constituted a Selection Committee, comprising : (i)Appointing Authority; (ii)Controlling Officer of the Filaria Control Programme of the District; (iii)An Officer belonging to Scheduled Castes or Scheduled Tribes, nominated by the appointing authority. If the appointing authority does not belong to Scheduled Castes or Scheduled Tribes. If the appointing authority belongs to the Scheduled Castes or Scheduled Tribes, an Officer other than belonging to Scheduled Castes or Scheduled Tribes to be nominated by the appointing authority; (iv)Two Officers nominated by the appointing authority, one of whom shall be an Officer belonging to Minority Community and the other to Backward Class.(2)The Selection Committee shall scrutinize the applications and require the eligible candidates to appear in an interview.(3)The Selection Committee, shall having 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, who fulfil the requisite qualification, as they consider proper.(4)The Selection Committee shall prepare a list of candidates in order of their proficiency as disclosed by the marks obtained by each candidate in the interview. If two or more candidates obtain equal marks in interview, the Selection Committee shall arrange their names in order of merit on the basis of their general suitability for the service. The number of the names in the list shall be larger (but not larger by more than 25 per cent.) than the number of the vacancies. The Selection Committee shall forward the list to the appointing authority.

17. Procedure for recruitment by promotion.

(1)Recruitment by promotion shall be made on the basis of seniority subject to the rejection of unfit through the Selection Committee constituted as follows : (i)Appointing Authority; (ii)Joint Director, Medical and Health Service; (iii)An Officer nominated by the Director-General, Medical, Health and Family Welfare, Uttar Pradesh.(2)The appointing authority shall prepare an eligibility list of the candidates in accordance with the Uttar Pradesh Promotion by Selection (on Posts Outside the Purview of the Public Service Commission) Eligibility List Rules, 1986, and place it before the Selection Committee along with their character rolls and such other records, 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 as it stood in the cadre from which they are to be promoted and forward the same to the appointing authority.

18. Combined select list.

- If in any year of recruitment appointments are made both by direct recruitment and by promotion a combined select 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 persons appointed by promotion.

Part VI – Appointment, Probation, Confirmation and Seniority

19. Appointment.

(1) Subject to the provisions of sub-rule (2), the appointing authority shall make appointment by taking the name of candidates in the order in which they stand in the lists prepared under Rule 15, 16, 17 or 18, as the case may be. (2) Where, in any year of recruitment, appointments are to be made both by direct recruitments and by promotion, regular appointments shall not be made unless selections are made from both the sources and a combined list is prepared in accordance with Rule 18. (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 18.

20. Probation.

(1) A person on substantive appointment to a post or 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 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.

21. Confirmation.

(1) Subject to the provisions of sub-rule (2), 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 successfully undergone the prescribed training, if any; (b) his works and conduct are appeared to be

satisfactory;(c)his integrity is certified; and(d)the appointing authority is satisfied that he is otherwise fit for confirmation.(2)Where, in accordance with the provisions of the Uttar Pradesh State Government Servants' Confirmation Rules, 1991, confirmation is not necessary, the order under sub-rule (5) of those rules declaring that the person concerned has successfully completed the probation shall be deemed to be the order of confirmation.

22. Seniority.

- The seniority of persons substantively appointed in any category of post shall be determined in accordance with the Uttar Pradesh Government Servants' Seniority Rules, 1991, as amended from time to time.

Part VII – Pay, etc.

23. [Scales of Pay] [Subject to changes introduced by the Government from time to time for the current scales of pay.].

(1)The scales of pay admissible to persons appointed to the various categories of posts in the service, whether in 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 these rules are as given below :

| Name of post | Scale of pay |
|--------------------------|-----------------------------|
| 1. Biologist | Rs. 1400-40-1800-EB-50-2300 |
| 2. Filaria Inspector | Rs. 975-25-1150-F.B-30-1660 |
| 3. Insect Collector | Rs. 775-12-871-EB-14-1025 |
| 4. Superior Field Worker | Rs. 775-12-871-EB-14-1025 |
| 5. Field Worker | Rs. 750-12-870-EB-14-940 |

24. 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 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.

25. Criteria for crossing Efficiency Bar.

- No person shall be allowed to cross the Efficiency Bar unless (i) his work and conduct are found to be satisfactory, and (ii) his integrity is certified.

Part VIII – Other Provisions

26. 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.

27. 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.

28. Relaxation in 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 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.

29. 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 [See Rule 4 (2)]

| S. No. | Name of Posts | | Number of Posts | |
|--------|------------------------|-----------|-----------------|-----|
| | Permanent | Temporary | Total | |
| 1. | Biologist | Nil | 21 | 21 |
| 2. | Filaria Inspector | 36 | 53 | 89 |
| 3. | Insect Collector | 53 | 21 | 74 |
| 4. | Superior Field Workers | 68 | 40 | 108 |

| | | | |
|----|--------------|-----|---------|
| 5. | Field Worker | 344 | 235 579 |
|----|--------------|-----|---------|