

The U.P. Forest Department Draftsmen Service Rules, 1980

UTTAR PRADESH

India

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Rule

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The U.P. Forest Department Draftsmen Service Rules, 1980Published vide Notification No. 610/14-1-81-112-77, dated 7th March, 1981

1. Short title and commencement.

(1)These Rules may be called "The Uttar Pradesh Forest Department Draftsmen Service Rules, 1981."(2)They shall come into force at once.

2. Status of the Service.

- The Uttar Pradesh Forest Department Draftsmen Service is a subordinate service comprising group 'C' posts.

3. Definitions.

- In these Rules, unless there is anything repugnant in the subject or context-(a)"Appointing authority" means-(i)the Chief Conservator of Forests in respect of the posts of Head Draftsmen and Draftsman in his office,(ii)the concerned Additional Chief Conservator of Forest in respect of the posts of Draftsmen in their respective offices (except the post of Head Draftsmen),(iii)the concerned Conservator or Officer holding equivalent posts in respect of the posts of Draftsmen in their respective offices (except the posts of Head Draftsman);(b)"Chief Conservator" means the Chief Conservator of Forests of Uttar Pradesh;(c)"additional Chief Conservator" and "Conservator" respectively, mean the Additional Chief Conservator of Forests of the area concerned and

Conservator of Circle concerned;(d)"circle" means the jurisdiction of a Conservator of Forests.(e)"citizen of India" means a person who is or is deemed to be a citizen of India under Part II of the Constitution;(f)"Constitution" means the Constitution of India;(g)"divisional office" means the office of a Divisional Forest Officer or an equivalent Officer of the Forest Department;(h)"government" means the State Government of Uttar Pradesh;(i)"Governor" means the Governor of Uttar Pradesh;(j)"member of service" means a person appointed in a substantive capacity under these Rules or the rules or orders in force prior to the commencement of these Rules to a post in cadre of the Service;(k)"service" means the Uttar Pradesh Forest Department Service;(l)"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;(m)"year of recruitment" means a period of twelve months commencing from the first day of July of a calendar year.

Part II – Cadre

4. Cadre of service.

(1)There shall be a State Cadre for Head Draftsmen and Circle-wise cadre for Draftsman.(2)(i)The strength of the service and of each category of posts therein shall be such as may be determined by the Governor from time to time.(ii)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 :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.

Part III – Recruitment

5. Source of recruitment.

- Recruitment to various categories of posts shall be made from the following sources :(i)Head Draftsman. - By promotion from amongst the permanent Draftsmen who have put in at least ten years service (including temporary service) on the post of Draftsman.(ii)Draftsman. - By direct recruitment.

6. Reservation.

- Reservation for the candidate 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 – 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 of 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 Tarizania (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 of Draftsman must possess-(i)a certificate of Draftsmanship or Diploma in Civil Engineering from a recognised university or Institution.(ii)knowledge of Hindi in Devnagari script.

9. Preferential Qualifications.

- 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, other thing been equal, be given preference in the matter of direct recruitment.

10.

A candidate for direct recruitment must have attained the age of 18 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 advertised during the period January 1 to June 30 and on July 1, if the posts are 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 by a State Government or by a Local Authority or 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 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 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, or 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 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 in the posts of Draftsman shall be notified to the Employment Exchange in accordance with the rules or orders for the time being in force.

15. Procedure for direct recruitment.

(1) For the purpose of recruitment there shall be constituted a Selection Committee comprising : (I) For the Office of Additional Chief Conservator of Forests (i) Conservator of Forests. (ii) Two Divisional Forest Officers to be nominated by the Additional Chief Conservator of Forest concerned. (II) For the Office of the Conservator of Forests (i) Conservator of Forests concerned; (ii) Two Divisional Forest Officers of the Circle to be nominated by the Conservator of Forests concerned. (2) The Selection Committee shall scrutinize the applications and require the

eligible candidates to appear at an interview. Due consideration will be given to the marks obtained by the candidate at the Draftsman Certificate of Civil Engineering Diploma Examination.(3)The Selection Committee shall prepare a list of candidates in order of merit, as disclosed by the marks obtained by them at the interview. If two or more candidates obtain 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 the names in the list shall be larger (but not larger by more than 25 per cent) than the number of the vacancies.

16. Procedure for recruitment by promotion to the post of Head Draftsman.

(1)Recruitment by promotion shall be made on the basis of seniority subject to the rejection of unfit through a Selection Committee comprising-(i)Chief Conservator of Forests, Uttar Pradesh,(ii)Conservator of Forests, Headquarters, and(iii)Conservator of Forests, nominated by Chief Conservator of Forests.(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 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 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 VI – Appointment, Probation, Confirmation and Seniority

17. Appointment.

(1)The appointing authority shall make appointment by taking candidates in the order in which they stand in the list prepared under Rule 15 or 16.(2)If more than one order 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.(3)The appointing authority may make appointments in temporary and officiating vacancies also from the list referred to in sub-rule (1). If no candidate borne on these lists is available the appointing authority may make appointments in such vacancies from persons eligible for appointment under these Rules. Such appointments shall not last beyond one year or till the next selection under these Rules, whichever be earlier.

18. Probation.

(1)A person on appointment to a post or 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 up to which the extension is granted :Provided that save in exceptional circumstances the period of probation shall not be extended by more than one year and in no case 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 or 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 services, 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.

19. Confirmation.

- A probationer shall be confirmed in his appointments at the end of the period of probation or the extended period of probation if-(a)his work and conduct is reported to be satisfactory;(b)his integrity is certified; and(c)the appointing authority is satisfied that he is otherwise fit for confirmation.

20. 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 orders :Provided that if the appointment order specified a 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 case, it will mean the date of issue of the order :Provided further that, if more than one order of appointment are issued in respect of any one selection of seniority shall be as mentioned in the combined order of appointment issued under sub-rule (2) of Rule 17.(2)The seniority inter se of persons appointed directly on the result of any one selection shall be the same as determined by 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 VII – Pay etc.

21. Scales of pay*.

- 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 commencement of these Rules are given as follows :

Name of the post	Scales of pay*
1. Head Draftsman	Rs. 325-10-375-E.B.-12-495-E.B.-16-575.
2. Draftsman	Rs. 280-8-296-9-350-E.B.-10-400-E.B.-12-460

* Subject to revised pay scales as have been declared by the Pay Rationalization Committee Report, from time to time.

22. 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 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 the State.

23. Criteria for crossing efficiency bars.

- No person shall be allowed to cross : (i) the first Efficiency Bar unless his work and conduct is found to be satisfactory and unless his integrity is certified; (ii) the second Efficiency Bar Unless he has worked diligently and to the best of his ability, his work and conduct is found to be satisfactory and unless his integrity is certified.

Part VIII – Other Provisions

24. Convassing.

- 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 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.

26. Relaxation from the condition of service.

- Where the 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 order the requirements of that rule to such an extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner.

27. Saving.

- Nothing in these Rules shall affect the reservation or 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.

28. Transfer.

- A member of the Service may be transferred-(i)from one division to another division in a circle, by the concerned Conservator;(ii)from one circle to another circle under the charge of Additional Chief Conservator of Forests by the concerned Additional Chief Conservator;(iii)from one circle under the charge of one Additional Chief Conservator of Forests to another circle under the charge of another Additional Conservator of Forests by the Chief Conservator of Forests :Provided that-(i)except where the transfer is made on request transfer outside the cadre shall not be made on permanent basis and the person transferred shall retain his lien in the parent cadre;(ii)in case of transfer on request of the concerned official, transfer may be made outside the cadre permanently subject to the condition that such an employee shall be placed for seniority at the bottom of the new cadre.AppendixStrength and category of permanent posts

1. Draftsmen 70 posts
2. Head Draftsman 2 Temporary