

The U.P. Government Servants Probation Rules, 2013

UTTAR PRADESH

India

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Rule

THE-U-P-GOVERNMENT-SERVANTS-PROBATION-RULES-2013 of 2013

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The U.P. Government Servants Probation Rules, 2013Published vide Notification No. 13/2/1997-Ka-1-2013, Dated December 30, 2013, U.P. Gazette Extraordinary, Part 4, Section (Ka), dated 30th December, 2013IN pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of notification no. 13/2/1997-Ka-1-2013, dated December 30, 2013:IN exercise of the powers conferred by the proviso to Article 309 of the Constitution, the Governor is pleased to make the following rules-

1. Short title Commencement and application.

(1)These rules may be called the Uttar Pradesh Government Servants Probation Rules, 2013.(2)They shall come into force at once.(3)They shall apply to all persons holding a civil post in connection with the affairs of Uttar Pradesh and who are under the rule making control of the Governor under the proviso to Article 309 of the Constitution.

2. Overriding effect.

- The provisions or these rules shall have effect notwithstanding anything to the contrary contained in any other rules made by the Governor under the proviso to Article 309 of the Constitution, or orders, for the time being in force.

3. Definition.

- In these rules, unless there is anything repugnant in the subject or context-(a)"Appointing Authority" in relation to any post or service means the authority empowered to make appointment

to such post or service under the relevant service rules or the executive instructions issued by the Government;(b)"Constitution" means the Constitution of India;(c)"Cadre" means the strength of a service or part of service sanctioned as separate unit;(d)"Government" means the Government of Uttar Pradesh;(e)"Governor" means the Governor of the Uttar Pradesh;(f)"Government Servant" means a person appointed to a public service or post in connection with the affairs of the State of Uttar Pradesh;(g)"Service" means the service as defined in the relevant service rules or the executive instructions issued by the Government from time to time;(h)"Substantive appointment" means an appointment not being an adhoc appointment, on a post in the cadre of the service, made after selection in accordance with the rules and, if there were no rules, in accordance with the procedure prescribed for the time being by executive instructions issued by the Government.

4. Probation where necessary.

(1)A person on substantive to a post through direct recruitment shall be placed on probation for a period of two years. The appointing authority may, for reasons to be recorded, extend the period of probation in individual cases specifying the date upto 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 circumstance beyond two years.(2)A person on substantive appointment to a post by promotion, if direct recruitment is one of the sources of recruitment, shall be placed on probation for a period of two years. The appointing authority may, for reasons to be recorded, extend the period of probation in individual cases specifying the date upto 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 circumstance beyond two years.(3)A person appointed on a post by adjustment absorption or merger in accordance with the procedure prescribed in the relevant service rules, shall be placed on probation for a period of one year. The appointing authority may, for reasons to be recorded extend the period of probation in individual cases specifying the date upto which the extension is granted :Provided that, save in exceptional circumstances the period of probation shall not be extended beyond six months and in no circumstance beyond one years.(4)A person on substantive appointed to a post where promotion is the only source of recruitment, if the post belongs to a different Service or Group, shall be placed on probation for a period of one year. The appointing authority may, for reasons to be recorded, extend the period of probation in individual cases specifying the date upto which the extension is granted :Provided that, save in exceptional circumstances, the period of probation shall not be extended beyond six months and in no circumstance beyond one years.

5. Probation where not necessary.

- It will not be necessary to place person on probation if he is promoted on a regular basis (sic) following the prescribed procedure to a post belonging to same Group where promotion is the only source of recruitment.

6. Posts to which these rules shall not apply

- These rules shall not apply where appointments are made against posts under establishment, which are created for definite and purely temporary periods such as Committees, Commission of Enquiry, Organizations created for meeting a particular emergency which is not expected to last for more than a few years, posts created for projects for specified periods and purely temporary Organizations.