

The Command Area Project Bhumi Sanrakshan Adhikari and Technical officer Service Rules, 1993

UTTAR PRADESH

India

The Command Area Project Bhumi Sanrakshan Adhikari and Technical officer Service Rules, 1993

Rule

THE-COMMAND-AREA-PROJECT-BHUMI-SANRAKSHAN-ADHIKARI-A of 1993

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The Command Area Project Bhumi Sanrakshan Adhikari and Technical officer Service Rules, 1993Published vide Notification No. 4079/54-1-93-9(135)-93, dated September 14, 1993

Part I – General

1. Short title and commencement.

(1)These Rules may be called the Command Area Project Bhumi Sanrakshan Adhikari and Technical Officer Service Rules, 1993.(2)They shall come into force at once.

2. Status of the Service.

- The Command Area Project Bhumi Sanrakshan Adhikari and Technical Officer Service comprises Group 'B' posts.

3. Definitions.

- In these rules unless there is anything repugnant in the subject or context,-(a)"Appointing authority" means the Governor;(b)"Constitution" means the Constitution of India;(c)"Command Area" means Sharda Sahayak Command Area, Ram Ganga Command Area, created by the Government;(d)"Government" means the State Government of Uttar Pradesh;(e)"Governor" means

the Governor of Uttar Pradesh;(f)"Member of the service" means a person substantively appointed under these rules or orders in force prior to the commencement of these rules to a post in the cadre of the service;(g)"Service" means the Command Area Project Bhumi Sanrakshan Adhikari and Technical Officer Service;(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 and, if there are no rules, in accordance with the procedure prescribed for the time being by executive instructions issued by the Government;(i)"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)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 given below ;

Serial No.	Name of post	Number of posts		
		Permanent	Temporary	Total
1	2	3-A	3-B 3-C	
1	Bhumi Sanrakshan Adhikari ...	70	70	
2	Technical Officer	...	10 10	

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, from time to time as he may consider proper.

Part III – Recruitment

5. Source of recruitment.

- Recruitment to the post of Bhumi Sanrakshan Adhikari and Technical Officer shall be made by promotion from amongst substantively appointed Junior Engineers and Technical Assistants who have completed seven years service as such on the first day of the year of recruitment :Provided that ten percent posts of the total strength of the cadre shall be filled from amongst such substantively appointed Junior Engineers and Technical Assistant who possess Bachelor's degree in Agriculture or Civil Engineering from an institution recognised by the Government :Provided further that if suitable candidates are not available for promotion, posts in the cadre may be filled by transfer of persons from other Government departments.

6. Reservation.

- Reservation for candidates 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 – Procedure For Recruitment

7. Determination of vacancies.

- The appointing authority shall determine the number of vacancies to be filled during the course of the year and also the number of vacancies to be reserved for candidates belonging to Scheduled Castes, Scheduled Tribes and other categories under Rule 6.

8. Procedure for promotion.

(1) Promotion to a post in the Service shall be made on the basis of seniority subject to rejection of unfit through a Selection Committee comprising :

- | | |
|--|---------------|
| (i) Secretary to the Government in Area Development Department | ... Chairman. |
| (ii) Administrator of Command Area nominated by the Government | ... Member. |
| (iii) Secretary to the Government in the Personnel Department or his nominee not below the rank of Joint Secretary | ... Member. |

(2) The appointing authority shall prepare eligibility list of the candidates in accordance with the provisions of the Uttar Pradesh Promotion by Selection (on Posts Outside the Purview of the Public Service Commission) Eligibility List Rules, 1986, and place the same before the Selection Committee along with their character rolls and such other records pertaining to them as may be considered proper. (3) While preparing the eligibility list under sub-rule (2), if the date of substantive appointment of two or more persons are the same, the name of person who is senior in age shall be placed higher in the eligibility list. (4) 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. (5) The Selection Committee shall prepare a list of selected candidates arranged in order of seniority as it stood in the cadre from which they are promoted and forward the same to the appointing authority.

Part V – Appointment, Probation, Confirmation and Seniority

9. Appointment.

(1) The appointing authority shall make appointments by taking the names of the candidates in the order in which they stand in the list prepared under rule 8.

10. Probation.

(1)A person on substantive appointment 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 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 for 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.(4)A probationer who is reverted 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 of any other equivalent or higher post to be taken into account for the purpose of computing the period of probation.

11. Confirmation.

(1)Subject to the provision of sub-rule (2) a probationer shall be confirmed in his appointment at the end of the period of probation or extended period of probation, if-(a)his work and conduct is reported to be satisfactory,(b)his integrity is certified,(c)he has successfully undergone the prescribed training, and(d)the appointing authority is satisfied that he is otherwise fit for confirmation.(2)Where in accordance with the provision of the Uttar Pradesh State Government Servants Confirmation Rules, 1991, as amended from time to time, confirmation is not necessary, the order under sub-rule (3) of rule 5 of those rules declaring that the person concerned has successfully completed the probation shall be deemed to be the order of confirmation.

12. Seniority.

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

Part VI – Pay Etc.

13. Scale 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 the pay at the time of commencement of these rules are as follows:

Name of post	Scale of pay
1. Bhumi Sanraksan Adhikari	Rs. 2,200-75-2,800-E.B.-100-4,000.

2. Technical Officer Ditto.

14. Pay during probation.

- The pay during probation of a person substantively appointed to a post in the Service shall be regulated by the relevant rules applicable to Government servants generally serving in connection with the affairs of the State.

15. Criterion for crossing efficiency bar.

- No person shall be allowed to cross efficiency bar unless his work and conduct are found to be satisfactory and unless his integrity is certified.

Part VII – Other Provisions

16. Canvassing.

- No recommendations, either written or oral, other than those required under these 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.

17. Regulation of other matters.

- In regard to 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.

18. Relaxation from 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.

19. Savings.

- Nothing in these rules shall effect 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.