

The U.P. Consolidation Lekhpals Service Rules, 1978

UTTAR PRADESH

India

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Rule

THE-U-P-CONSOLIDATION-LEKHPALS-SERVICE-RULES-1978 of 1978

- Published on 29 July 1978
- Commenced on 29 July 1978
- [This is the version of this document from 29 July 1978.]
- [Note: The original publication document is not available and this content could not be verified.]

The U.P. Consolidation Lekhpals Service Rules, 1978Published vide Notification No. 54/374-Revenue Section 8, dated July 5, 1978, published in U.P. Gazette, Part 1-ka, dated 29th July, 1978, pp. 1935-38

Part I – General

1. Short title and commencement.

(1)These rules may be called the Uttar Pradesh Consolidation Lekhpal Service Rules, 1978.(2)They shall come into force at once.

2. Status.

- The Uttar Pradesh Consolidation Lekhpal Service comprises Group 'D' posts.

3. Definitions.

- In these rules, unless there is anything repugnant in the subject or context,-(1)'Act' means the Uttar Pradesh Consolidation of Holdings Act, 1953 (U.P. Act V of 1954) as amended from time to time;(2)'Citizen of India' means a person who is or is deemed to be a citizen of India under Part II of the Constitution;(3)'Constitution' means the Constitution of India;(4)'Consolidation Lekhpals' means the Consolidation Lekhpal as defined in Section 3 (2-B) of the Act and includes a Lekhpal appointed under U.P. Land Revenue Act, 1901;(5)'Consolidation Officer' means the Officer defined in Section 3(3) of the Act;(6)'Director' means the Director of Consolidation as defined in Section 3 (4) of the Act;(7)'Deputy Director' means the Deputy Director of Consolidation as defined in Section

3 (4-A) of the Act and includes District Deputy Director of Consolidation as defined in Section 3 (4-B) of the Act;(8)'Direct recruitment' means the mode of recruitment provided in these rules;(9)'Department' means the Consolidation Department of the Government;(10)'Governor' means the Governor of Uttar Pradesh;(11)'Government' means the Government of Uttar Pradesh;(12)'Member of the service' means a person appointed to the service in a substantive capacity in accordance with the provisions of these rules or rule or orders in force prior to the commencement of these rules;(13)'Settlement Officer, Consolidation' means the Officer as defined in Section 3 (9) of the Act; and(14)'Service' means the Uttar Pradesh Consolidation Lekhpals Service.

Part II – Cadre

4. Cadre of service.

(1)The strength of the service shall be such as may be determined by the Governor from time to time.(2)The strength of the service shall, until orders varying the same have been issued under sub-rule (1), be as specified below:

Permanent	Temporary	Total
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1	2	3
4,928	448	5,376

Provided that-(a)the appointing authority may leave unfilled or the Governor may hold in abeyance any vacant post without assigning any reason and without thereby entitling any person to compensation;(b)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 service shall be made from the source and in accordance with the procedure mentioned in Rule 14 of these rules.

6. Reservation.

- Reservation for the candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories shall be in accordance with orders of the Government in force at the time of 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 who has migrated from Pakistan, Burma, Ceylon 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 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. Age.

- A candidate for direct recruitment must not have attained the age of 18 years and must not have attained the age of more than 27 years on January 1 of the year in which recruitment is to be made if the posts are advertised during the period January 1 to June 30 and on July 1, if the posts are advertised during the period July 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.

9. Academic qualifications.

- A candidate for direct recruitment to the posts in the Service-(i)must have passed the High School Examination of the Board of High School and Intermediate Education or an examination recognised by the Government as equivalent thereto;(ii)must have working knowledge of Hindi written in Devanagiri script;(iii)must have obtained the Patwari or Lekhpal school certificate or undergone Lekhpal training at the Training centre for Consolidation Lekhpals; or(iv)if he is an untrained consolidation Lekhpal, must have completed more than three years continuous service in the department:Provided that academic qualification for a person appointed prior to the commencement of these rules shall be as prescribed at the time of such appointment.

10. Preferential qualification.

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

preference in the matter of direct recruitment

11. Physical Fitness.

- No candidate shall be directly appointed to a post in the service unless he is in good mental and physical health) and free from physical defect likely to interfere with the efficient discharge of his duties. Before a directly recruited candidate is finally approved for appointment in the service he shall be required to produce a certificate of fitness in accordance with the rules framed under Fundamental Rule 10 and contained in Chapter III of the Financial Hand Book, Volume II, Parts II to IV.

12. Character.

- That character of a candidate for direct recruitment of 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 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.

13. 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 Governor may, if satisfied that there are special grounds for doing so, exempt any person from the operation of this rule.

Part V – 14. Procedure for Recruitment.

(1) On the declaration of results, the Head Masters of the Lekhpal Training Schools or the Principal of the Training Centre for Consolidation Lekhpals shall intimate to the Director and to the District Deputy Directors of Consolidation the names of successful candidates along with other details mentioned in sub-rules (2) : (2) The District Deputy Director of Consolidation shall maintain, in the following form, a list of candidates eligible for recruitment in accordance with these rules:

SI. No.	Name of candidate with parentage and residence	Date of birth	Educational Qualification	Year of training or passing the Patwari, or Lekhpal School Examination	Total number of marks obtained in the examination with Division	Remarks
1	2	3	4	5	6	7

(4)The names in the list shall be arranged in the order of seniority as determined by the year of examination. Seniority in respect of the candidate of the same year shall be determined on the basis of aggregate marks obtained at the examination. Where the aggregate marks are equal age shall be the basis of seniority.(5)The list so maintained shall be revised on receipt of results every year and the District Deputy Director of Consolidation shall remove the names of-(a)candidates who have been confirmed on a permanent post;(b)candidates who have exceeded the maximum age limit for appointment; and(c)other candidates for good and sufficient reasons to be recorded in writing.

Part VI – Appointment, Probation and Confirmation

15. Appointing Authority.

- The appointing authority in respect of Consolidation Lekhpal shall be the Settlement Officer, Consolidation.

16. Appointment.

(1)On the occurrence of substantive vacancies the appointing authority shall make appointment by taking candidates in the order in which they stand in the list prepared under Rule 14.(2)The appointing authority may make appointments in temporary and officiating vacancies also from the list referred to in sub-rule

17. Probation.

(1)A person on appointment to a post in the 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 for exceptional reasons, the period of probation shall ordinarily not be extended for more than one year and in no circumstances beyond the limit of 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 posts to be taken into account for the purpose of computing the period of probation.

18. Confirmation.

- A probationer shall be confirmed in his appointment at the end of the period of probation or extended period of probation, if his work and conduct are found to be satisfactory, his integrity is certified and the appointing authority is satisfied that he is otherwise fit for confirmation.

19. Seniority.

- Seniority in the service shall be determined by the date of appointment in a substantive capacity and if two or more persons are appointed on the same date, their inter se seniority shall be determined according to the order in which their names are given in the appointment order. Note. - A candidate recruited directly may lose his seniority if he fails to join without valid reason when a vacancy is offered to him. The decision of the appointing authority as to the validity of the reason will be final.

Part VII – Pay, etc.

20. Scale of pay.

(1) The scale of pay admissible to a person appointed to a post in the service whether in a substantive or officiating capacity or as temporary measure shall be such as may be determined by the Government from time to time. (2) The scale of pay enforced with effect from August 1, 1972 is Rs. 185-3-215-E. B-4-235-E. B-6-265.

21. 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, 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 to Government servants generally serving in connection with the affairs of the State.

22. Criteria for crossing Efficiency Bar.

- No Consolidation Lekhpal shall be allowed to cross- (1) the first efficiency bar unless he has worked steadily and to the best of his ability, his work and conduct are found to be satisfactory and unless his integrity is certified, and (2) the second efficiency bar unless he is found to have worked steadily and to the best of his ability, he is found punctual, dutiful and alert in the performance of his duties, he possessed executive tact and can undertake touring in rural areas and perform the work assigned to him within the specified time and unless his integrity is certified.

Part VIII – Other Provisions

23. Canvassing.

- No recommendation, 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.

24. Regulation of other matters.

- In regard to the matters not specifically covered by these rules or by special order, persons appointed to the service shall be governed by the rules, regulations and orders applicable generally to Government servants serving in connection with affairs of the State.

25. Relaxation from the conditions of service.

- Where the State Government is satisfied that the operation of any rule regulating the conditions of service of a 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 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.