

The U.P. Board of Revenue Office, Class IV Service Rules, 1973

UTTAR PRADESH

India

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Rule

THE-U-P-BOARD-OF-REVENUE-OFFICE-CLASS-IV-SERVICE-RULES-1 of 1973

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Part I – General

1. Short title and commencement.

(1) These rules may be called the Uttar Pradesh Board of Revenue Office, Class IV Service Rules, 1973. (2) They shall come into force with effect from the date of their publication in the Uttar Pradesh Gazette.

2. Definitions.

- In these rules unless there is anything repugnant in the subject or context, - (1) "Board" means the Board of Revenue Uttar Pradesh; (2) "Cadre" means the cadre of the Uttar Pradesh Board of Revenue Office, Class IV Service; (3) "Constitution" means the Constitution of India; (4) "Governor" means the Governor of Uttar Pradesh; (5) "Government" means the Government of Uttar Pradesh; (6) "Member of Service" means a person appointed in a substantive capacity under the provisions of these rules or any order in force, previous to the enforcement of these rules to a post in the cadre of the Service; (7) "Sachiv" means the Sachiv, Board of Revenue, Uttar Pradesh; (8) "Service" means the Uttar Pradesh Board of Revenue Office, Class IV Service.

Part II – Cadre

3. Strength of the Service.

- (i) The strength of the service and of each kind of posts therein shall be such as may be determined by the Governor from time to time.(ii)The permanent strength of the service and of each kind of post therein shall, until orders varying the same have been passed under sub-rule (i), be as given in Appendix 'A':Provided that-(i)the Sachiv 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, temporary or permanent posts or the Board may create such additional, temporary posts under the powers delegated to them and subject to such restrictions as may be imposed by the Governor in that regard from time to time, as may be found necessary.

Part III – Recruitment

4. Source of recruitment.

- Recruitment to the Service, shall be made as follows:(a)Orderlies, Peons Farrash, Chaukidars, Watermen, Sweepers, Firemen, Tindals, Malis, Vacuum Cleaner, by direct recruitment;(b)Bundle Lifters, Jamadars, Caretakers and Daftaries, by promotion from amongst permanent orderlies and peons who can read and write Hindi in Devangari Script well and can also read and write English characters and figures.

5. Educational Qualifications.

- A candidate for direct recruitment to the post of orderly or peon must have passed Class V.

6. Preferential qualification.

- Notwithstanding anything contained these rules, a candidate-(i)who has served in the Territorial Army Force for a minimum period of two years; or(ii)who has obtained a 'B' Certificate of the National Cadet Corps shall, other things being equal, be given preference in the matter of recruitment to the service.

7. Reservation.

- Reservation for the members of Scheduled Castes and Scheduled Tribes, disabled and demobilised Army Personnel, dependents of freedom fighters and physically handicapped persons, shall be in accordance with the orders for reservation in force at the time of recruitment.(A copy of the orders in force at the time of promulgation of these rules will be found in Appendix 'B').

8. Physical fitness.

- No candidate shall be appointed as a member of the service unless he be in good mental and bodily health and freedom from any physical defects likely to interfere with the efficient performance of his duties. Before a candidate is finally approved for appointment, he shall be required to furnish a medical certificate of health in accordance with the rules framed under Fundamental Rules, Financial Handbook, Volume II, Part II.

9. Marital Status.

- No man who has more than one wife living and no woman who has married a man already having a wife living, shall be eligible for appointment to the service: Provided that the Governor may be satisfied that there are special grounds for doing so exempt any person from the operation of this rule.

10. Age.

(1) A candidate for direct recruitment must have attained the age of 18 years and must not have attained the age of 30 years on the first day of January of the year in which the recruitment is made, provided that an ex-service man be recruited up to the age of 40 years. (2) The upper age-limit shall be greater by 5 years in the case of the Scheduled Castes and Scheduled Tribes candidates. The upper age-limit may also be relaxed by the Board in favour of any candidate or class of candidates, if they consider this necessary in the public interest or in the interest of fair dealing.

11. Character.

- The character of a candidate for direct recruitment must be such as to render him suitable in all respects for service. It shall be the duty of the Sachiv to satisfy himself on this point.

12. Nationality.

- A candidate for recruitment to a post or service under the State Government must be-(a) a citizen of India, or (b) a subject of Sikkim, or (c) a Tibetan refugee who came over to India before January 1, 1962, with the intention of permanently settling in India, or (d) a person of Indian origin who has migrated from Pakistan, Burma, Ceylon and 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 (c) or (d) above, shall 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 (c) will also be required to produce certificate of the Deputy Inspector-General of Police, Intelligence Branch, Uttar Pradesh: Provided also that if a candidate belongs to category (d) above, no certificate of eligibility will be issued for a period of more than one year, and such a candidate may be retained in service after a period of one year only if he has acquired Indian Citizenship. Note. - A candidate in whose

case a certificate of eligibility is necessary but 'he same has neither been issued nor refused, may also be provisionally appointed, subject to the necessary certificate being obtained by him or is issued in his favour.

Part IV – Procedure of Recruitment

13. Procedure of direct recruitment.

- When vacancies are likely to occur in posts mentioned in rule 4(a), Sachiv shall, after calling for names of candidates from the local Employment Exchange or, if the Employment Exchange is not able to send up the requisite number of names, after calling for applications in such manner as may be considered suitable, make selection of candidates considered suitable for appointment in Class IV employees already working in the office of the Board in an officiating or temporary capacity on any one of those posts shall also be considered for selection alongwith other candidates. The number of selected candidates may normally be 25 percent more than the number of available vacancies and their names shall be arranged in order of preference in a waiting list

14. Procedure of recruitment by promotion.

- On the occurrence of vacancies in the posts mentioned in rule 4(b), a selection shall be made by Sachiv from amongst permanent orderlies and peons on the basis of seniority subject to rejection of the unfit. The names of the selected candidates shall be arranged in order of their seniority on the lower post

15. Appointment.

(1)The Sachiv shall, on the occurrence of permanent vacancies, make appointments to the service by taking candidate in the order in which their names are arranged in me lists prepared under Rule 13 or 14.(2)The Sachiv shall make appointments from the aforesaid list to the temporary and officiating vacancies also but if no name exist on the list, he may make appointments in such vacancies from persons eligible under these rules.

16. Gradation list.

- A common gradation list shall be maintained for all members of the service whether posted at Lucknow or Allahabad holding posts included in the cadre.

17. Seniority.

- Seniority of the members of the service in each category of post shall be determined according to the date of substantive appointment to permanent posts, provided that if the date of appointment of two or more candidates be the same the seniority shall be determined in accordance with their position in the list referred in Rule 13 or 14.

18. Probation.

(1) Every candidate on appointment to the service in or against substantive vacancy shall be placed on probation for a period of two years, provided that Sachiv may extend the period of probation in individual cases ordinarily up to a maximum period of two years. (2) If it appears at any time during or at the end of the period of probation that a probationer has not made sufficient use of his opportunities or has otherwise failed to satisfy his superiors, his services may, if directly recruited be dispensed with without entitling him to any compensation or he may, if recruited by promotion, be reverted to the post from which he was promoted. (3) Continuous service rendered in an officiating or temporary capacity in a post included in the cadre of the service may be taken into account in computing the period of probation.

19. Confirmation.

- A probationer shall be confirmed in his appointment at the end of the period of probation or extended period of probation if Sachiv is satisfied that he is fit for confirmation and his integrity is certified.

20. Scale of pay.

- The scales of pay admissible to persons appointed to different categories of post in the cadre of the service, whether in a substantive or officiating capacity or as a temporary measure, shall be as follows:

| Name of Post | Scale of Pay |
|-----------------------------|--------------------------------------|
| 1. Bundle lifter | Rs. 170-2-190-E. B. 3-20-5-E-B-4-225 |
| 2. Jamadar | Ditto. |
| 3. Caretaker | Ditto. |
| 4. Daftary | Ditto. |
| 5. Fireman | Rs. 165-2-185-E. B. 3-215. |
| 6. Tindal | Ditto. |
| 7. Orderly and Peon | Ditto. |
| 8. Chaukidar | Ditto. |
| 9. Sweeper | Ditto. |
| 10. Mali | Ditto. |
| 11. Waterman | Ditto. |
| 12. Farrash | Ditto. |
| 13. Vacuum Cleaner Operator | Ditto. |

21. Pay during probation.

(1) Notwithstanding any provisions in the Fundamental Rules to the contrary, a probationer shall draw during the period of probation increments as they may accrue, provided that his work is reported to be satisfactory: Provided further that if the period of probation is extended on account of failure to give satisfaction, such extended period shall not count for increment unless the appointing authority directs otherwise. (2) The pay during the period of probation of a person who is already holding a substantive post in Government service shall be fixed in accordance with the relevant rules referred to in rule 25 of these rules.

22. Criteria for crossing efficiency bars.

- No member of the service shall be allowed to cross the stage of efficiency bar in the scale of pay admissible to him unless his work and conduct have been found to be satisfactory and his integrity is certified.

23. Convassing.

- Any attempt on the part of a candidate to enlist support directly or indirectly for his candidature by other means may render him liable to disqualification.

24. Transfers.

- Transfers from one post to another in the cadre of the service in the Lucknow or Allahabad office of the Board from Lucknow to Allahabad office and vice versa shall be made by Sachiv.

25. Residency matter.

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

26. Relaxation from the conditions of service.

- Where the Government is satisfied that the operation of any rule regarding the conditions of service of the members of 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. Appendix 'A' (See Rule 3)

| Name of Post | No. of post |
|------------------|-------------|
| 1. Bundle lifter | 4 |

| | |
|-----------------------------|-----|
| 2. Jamadar | 10 |
| 3. Caretaker | 2 |
| 4. Daftari | 12 |
| 5. Fireman | 4 |
| 6. Tindal | 2 |
| 7. Orderly and Peon | 52 |
| 8. Chaukidar | 3 |
| 9. Sweeper | 5 |
| 10. Mali | 3 |
| 11. Waterman | 3 |
| 12. Farrash | 3 |
| 13. Vaccum Cleaner Operator | 1 |
| Total.... | 104 |

Appendix 'B'(See Rule 7)In pursuance of the provisions of clause 4 of Article 16 and Article 335 of the Constitution, the Governor is pleased to order that, consistently with the maintenance of efficiency of administration-(1)the interest of the backward classes shall in general be borne in mind in making appointment;(2)there shall be a general reservation of 18 per cent and 2 per cent of such vacancies which are to be filled in by direct recruitment for members of the Scheduled Castes and Scheduled Tribes, respectively, in making appointment to services and posts in connection with the affairs of the State of Uttar Pradesh;(3)If in any recruitment adequate number of suitable and eligible candidates of Scheduled Castes and Scheduled Tribes are not available against the reserved vacancies they shall be treated as unreserved vacancies and shall be filled up accordingly, but they shall be carried forward for subsequent recruitment:Provided that the reservation on account of deficiency in respect of Scheduled Castes candidates shall not be carried forward for more than two years and in case of Scheduled Tribes candidates for not more than five years:Provided further that on any such subsequent occasion the total number of reserved vacancies including those carried forward shall not exceed 36 per cent of the total vacancies. Ever then if there are only two vacancies, one shall be treated as a reserved vacancy. But if there is only one vacancy it will be treated as unreserved.(4)the surplus above 36 per cent shall be carried forward for subsequent occasion, provided that those vacancies which have been carried forward shall not become time-barred for being more than two years old in respect of Scheduled Caste candidates and for being more than five years old in respect of Scheduled Tribes candidates; and(5)out of the vacancies which are to be filled by direct recruitment - (1) 5 per cent shall be reserved for disabled and demobilised army personnel, (2) 5 per cent shall be reserved for the dependents of freedom fighter, and (3) 2 per cent shall be reserved for physically handicapped persons. In case eligible candidates of those categories are not available, the reserved vacancies shall be treated as unreserved:Provided that in the case of direct recruitment the total reservation including the carried forward vacancies, if any, shall not exceed 50 per cent.