

The U.P. Environment Directorate Drivers Service Rules, 1993

UTTAR PRADESH

India

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Rule

THE-U-P-ENVIRONMENT-DIRECTORATE-DRIVERS-SERVICE-RULES- of 1993

- Published on 1 October 1994
- Commenced on 1 October 1994
- [This is the version of this document from 1 October 1994.]
- [Note: The original publication document is not available and this content could not be verified.]

The U.P. Environment Directorate Drivers Service Rules, 1993Published vide Notification U.P. Gazette, dated 1st October, 1994, vide Notification No. 2425/55-1(3) Parya/93, dated 24th October, 1993

Part I – General

1. Short title and commencement.

(1)These rules may be called the Uttar Pradesh Environment Directorate Drivers Service Rules, 1993.(2)They shall come in to force at once.

2. Status of Service.

- The Uttar Pradesh Environment Directorate Drivers Service is a Service comprising Group 'C' posts.

3. Definitions.

- In these rules, unless there is anything repugnant in the subject or context,-(a)"appointing authority" means the Director;(b)"citizen of India" means a person who is or is deemed to be citizen of India under Part II of the Constitution;(c)"Constitution" means the Constitution of India;(d)"Director" means the Director, Environment, Uttar Pradesh;(e)"Governor" means the Governor of Uttar Pradesh ;(f)"Government" means the State Government of Uttar

Pradesh;(g)"member of the Service" means a person substantively appointed under these rules or the rules or orders in force prior the commencement of these rules to a post in the cadre of the Service.(h)"service" means the Uttar Pradesh Environment Directorate Drivers Service;(i)"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 ;(j)"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 shall be such as may be determined by the Government from time to time.(2)The strength of service shall, until orders varying the same are passed under sub-rule (1) be as given below :

Name of Post	Number of Posts	Total
Permanent	Temporary	
Drivers	...	5 5

(a)Provided that the appointing authority may leave unfilled, or the Governor may hold in abeyance, any vacant post without thereby entitling any person to compensation; and(b)The Governor may create such additional, permanent or temporary posts as he may consider proper.

Part III – Recruitment

5. Source of recruitment.

- Recruitment to a post in the service shall be made by direct recruitment.

6. Reservation.

- Reservation for the candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories shall be made in accordance with the 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, Sri Lanka 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 is whose case 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 the favour.

8. Academic qualification.

- A candidate for direct recruitment to the service,-(i)must have passed class VIII Examination, and(ii)must possess valid driving licence for a period of not less than three years preceding the date of notification of vacancies under rule 14.

9. Preferential qualification.

- A candidate who has,-(i)passed High School Examination of the Board of High School and Intermediate Education, Uttar Pradesh or an examination recognised by Government as equivalent thereto ;(ii)knowledge of motor mechanism.(iii)served in the territorial Army for a minimum period of two years; or(iv)obtained a "B" certificate of the National Cadet Corps shall, other things being equal be given preference in the matter of recruitment.

10. Age.

- A candidate for direct recruitment must have attained the age of twenty-one years and must not have attained the age of more than thirty-two years on the first day of July of the calendar year in which vacancies for recruitment are notified to the Employment Exchange :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 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 a State

Government or 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.

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 recruitment to the Service :Provided that the Government 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, Part III.

Part V – Procedure for Recruitment

14. Determination of vacancies.

- The appointing authority shall determine and notify to the Employment Exchange, in accordance with the rules and orders for the time being in force, the number of vacancies to be filled during the course of the year of recruitment as also the number of vacancies to be reserved for the candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories under rule 6.

15. Procedure for recruitment.

(1)For the purpose of recruitment, there shall be constituted a Selection Committee comprising-(i)Appointing Authority.(ii)An officer belonging to Scheduled Caste or Scheduled Tribe, nominated by the District Magistrate if the appointing authority does not belong to Scheduled Caste or Scheduled Tribe, if the appointing authority belongs to Scheduled Caste or Scheduled Tribe an officer other than belonging to Scheduled Caste or Scheduled Tribe, to be nominated by the district Magistrate.(iii)Two officers nominated by the appointing authority one of whom shall be an officer belonging to minority community and the other to Backward Class, if such suitable officer is not available in his department or organisation such suitable officer or officers, as the case may be, shall on the request of the appointing authority, be nominated by the District Magistrate and on his failure to do so, by reason of non-availability of suitable officer, such officer shall be nominated by the Divisional Commissioner.(2)The selection committee shall, having regard to the need for securing due representation of the candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories in accordance with rule 6, call for interview such number of candidates who

fulfil the required qualifications, as it considers proper.(3)The Selection Committee shall prepare a list of candidates in order of their proficiency as disclosed by the marks obtained by each candidate in 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. The Selection Committee shall forward the list to the appointing authority.

Part VI – Appointment, Probation, Confirmation and Seniority

16. Appointment.

(1)The appointing authority shall make appointment by taking the names of candidates in the order in which they stand in the list prepared under rule 15.(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.

17. 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 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 his services may be dispensed with.(4)A probationer 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 post, 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 the extended period of probation if-(a)his work and conduct are reported to be satisfactory ;(b)his integrity is certified; and(c)the appointing authority is satisfied that he is otherwise fit for confirmation.

19. Seniority.

- The seniority of persons substantively appointed to a post in the service shall be determined in accordance with the Uttar Pradesh Government Servants Seniority Rules 1990, as amended from time to time.

Part VII – Pay etc.

20. Scale of Pay.

- The scale of pay admissible to a person appointed to a post in the service shall be such as may be determined by the Government from time to time.(2)The scale of pay at the time of commencement of these rules is Rs. 950-20-1150 E.B. 25-1500.

21. Pay during probation.

- Notwithstanding any provision in the Fundamental Rules to be 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 servant generally serving in connection with the affairs of the State.

22. Criterion for crossing efficiency Bar.

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

Part VIII – Other Provisions

23. Convassing.

- 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.

24. Regulation of other matters.

- In regard to matters not specifically covered by these rules or 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.

25. Relaxation in 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 ceases 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 just and equitable manner.

26. Savings.

- Nothing in these rules shall affect 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 issued by the Government from time to time in this regard.