

The U.P. Consolidation Department Ministerial and Drawing Staff Service Rules, 1980

UTTAR PRADESH

India

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Rule

THE-U-P-CONSOLIDATION-DEPARTMENT-MINISTERIAL-AND-DRAWING STAFF SERVICE RULES, 1980

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Part I – General

1. Short title and commencement.

(1) These rules may be called the Uttar Pradesh Consolidation Department Ministerial and Drawing Staff Service Rules, 1980. (2) They shall come into force at once.

2. Status of the Service.

- The Uttar Pradesh Consolidation Department, Ministerial and Drawing Staff Service comprises Group 'C' posts.

3. Definitions.

- In these rules, unless there is anything repugnant in the subject or context, -(a) " Act " means the Uttar Pradesh Consolidation of Holdings Act, 1953 (U.P. Act No. V of 1954), as amended from time to time; (b) " appointing authority " in respect of the posts at the headquarters, means the

senior-most Joint Director (Headquarters) and in respect of the posts of the subordinate offices means-(1)the Joint Directors Consolidation, posted in a region, in respect of the posts of their offices.(2)the Deputy Directors, Consolidation, in respect of the posts of their offices; and(3)the Settlement Officers, Consolidation, in respect of the posts of their offices and the offices of Consolidation Officers and Assistant Consolidation Officers under them.(c)" Citizen " means a person who is or is deemed to be a citizen of India under Part II of the Constitution;(d)" Constitution " means the Constitution of India;(e)" Consolidation Officer " means the Officer defined in Section 3(3) of the Act;(f)" Department " means the Consolidation Department of the Uttar Pradesh Government;(g)" Deputy Director " includes District Deputy Director of Consolidation;(h)" Director " means the Director of Consolidation, Uttar Pradesh;(i)" Drawing Staff " in relation to the service means the Draftsman and Tracers;(j)" Government " means the Government of Uttar Pradesh;(k)" Governor " means the Governor of Uttar Pradesh;(l)" Headquarters " means the office of the Director of Consolidation in Lucknow;(m)" Member of the service " means a person appointed in a substantive capacity under these rules or the rules or orders in force prior to the commencement of these rules, to a post in the cadre of service;(n)" Settlement Officer " means Settlement Officer, as defined in Section 3 (9) of the Act;(o)" Service " means the Uttar Pradesh Consolidation Department Ministerial and Drawing Staff Service; and(p)" Year of recruitment " means the 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 posts therein shall be such as may be determined by the Governor 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 as given in Appendix I:Provide that-(1)The appointing authority may leave unfilled or the Governor may held in abeyance any vacant post, without thereby entitling any person to compensation.(2)The Governor may create such additional, permanent or temporary posts from time to time, as he may consider proper.Note,. - For the posts of stenographers, there shall be a combined cadre for the Headquarter and other subordinate offices and for any other post in the service, there shall be two separate cadres, one for the Headquarters and the other for subordinate offices.

Part III – Recruitment

5. Source of recruitment.

(1)Recruitment to the various categories of posts in the service shall be made from the following sources:

(a) Headquarters-

(1) LowerDivision Assistant. }

By direct recruitment
in accordance with the
provisions of
the Subordinate Offices,
Ministerial Staff
(Direct
Recruitment) Rules,
1975.

(2) Lower Division Clerk.

(3) Routine Clerk (Scale of pay Rs. 200-320).

(4) Junior Accounts Clerk.

(5) Ahalmad.

(6) Typist.

(7) Stenographer (Scale of pay Rs. 250-425). By Direct Recruitment.

(8) Stenographer (Scale of pay Rs. 300-500). By promotion amongst the permanent Stenographers in the scale of pay Rs. 250-425 at the Headquarters and Subordinate Offices.

Note - For the purpose of promotion, a combined seniority list shall be prepared by arranging the names of eligible persons in order of their seniority as determined in accordance with the principles laid down in rule 21. So, however, that the inter seniority is not disturbed.

(9) Superintendent By promotion from amongst the permanent Assistant Superintendents and Permanent Chief Accountants.

(10) Assistant Superintendent and Chief Accountant. By promotion from amongst the permanent Upper Division Assistants and Record Keepers and Record Keepers.

(11) Upper Division Assistant and Record Keepers By promotion from amongst the permanent Readers, Assistant Record Keepers, Routine Clerks (Scale of pay Rs. 230-380), Accountant, Senior Accounts Clerk, Nazir

and Librarian.

(12) Assistant Record Keeper Routine Clerk (scale of pay Rs. *230-380), Nazir Senior Accounts Clerk, Librarian, Accountant and Reader

By promotion from amongst the permanent Lower Division Assistant, Lower Division Clerk, Typist Junior Accounts Clerks, Routine Clerks and Ahalmads:

Provided that if sufficient number of suitable eligible persons are not available for promotion, the vacancies remaining unfilled after selection from Headquarters establishment may be filled from amongst the permanent Readers, Ahalmads, Court Clerks, Record Keepers, Typists and Tabulators of the establishment of subordinate offices.

(B) Subordinate Offices

(1) Reader By direct recruitment in accordance with the provisions of the Subordinate Offices Ministerial Staff (Direct Recruitment) Rules, 1975

(2) Ahalmad }

By promotion from amongst the permanent Correspondence Clerks.

(3) Record Keeper

(4) Court Clerk

(5) Typist

(6) Tabulator

(7) Head Assistant

(8) Stenographer (Scale of pay Rs. 250-425).

By direct recruitment.

(9) Correspondence Clerk, Accounts Clerk and Senior Clerk.

By promotion from amongst the permanent Readers, Ahalmads, Court Clerks, Record Keepers, Typists and Tabulators.

(10) Tracer

By direct recruitment.

(11) Draftsman (Unqualified).

By promotion from amongst the permanent Tracers.

(12) Draftsman (Qualified).

By promotion from amongst the permanent Tracers, provided that if no suitable candidates are available for promotion the vacancies may be filled up by direct

recruitment.

Note. - For the purposes of recruitment by promotion, combined seniority list of the eligible candidates shall be prepared by arranging the names of the eligible persons in order of their seniority as determined in accordance with the provision of rule 21 so, however, that the inter se seniority of the persons in different categories shall not be disturbed.

6. Reservation.

- Reservations for the candidates belonging to the 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 – 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 Tanganayika 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, U.P.: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. Academic qualifications.

(1)A candidate for direct recruitment to the posts to which recruitment is to be made in accordance with the Subordinate Offices Ministerial Staff (Direct Recruitment) Rules, 1975, must possess the qualification as prescribed in the said rules.(2)A candidate for direct recruitment to the post of Stenographer must have passed the Intermediate Examination of the Board of High School and Intermediate Examination, Uttar Pradesh or an examination recognised by the Government as equivalent thereto. He must also possess a minimum speed of 80 words per minute and 30 words per minute in Hindi Shorthand and typing, respectively.(3)A candidate for direct recruitment to the post of Tracer must have passed at least the High School Examination of the Board of High School and Intermediate Examination, Uttar Pradesh or an examination recognised by the Government as

equivalent thereto with Drawing as one of the subjects.(4)A candidate for direct recruitment to the posts of Draftsman (qualified) must possess a diploma in Draftsmanship from an institution recognised by the Government

9. Preferential qualifications.

- 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.

10.

(1)A candidate for direct recruitment to the posts, to which recruitment is to be made in accordance with the Subordinate Offices Ministerial Staff (Direct Recruitment) Rules, 1976, must be within the age-limits laid down in the said rules.(2)A candidate for direct recruitment to the post of Tracer must have attained the age of 18 years and a candidate for direct recruitment to the post of Stenographer and Draftsman (qualified) must have attained the age of 21 years and must not have attained the age of more than 28 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 1 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.

11. Character.

- The character of a candidate for direct 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 by 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 appointment to a post in the service:Provided that the Governor 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 medical 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, Part III: Provided that a medical certificate of fitness shall not be required from a candidate recruited by promotion.

Part V – Procedure For Recruitment

14. Determination of vacancies.

- The appointing authority shall determine the number of vacancies to be filled during the course of the year as also the number of vacancies to be reserved for candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories under Rule 6. He shall intimate the vacancies to be filled by direct recruitment to the employment exchange in accordance with the rules and orders for the time being in force.

15. Procedure for direct recruitment to the posts of Lower Division Assistant, Lower Division Clerk, Routine Clerk (Rs. 200-320), Junior Account Clerk, Ahalmad, Typist at the Headquarter and Reader, Ahalmad, Record Keeper, Court Clerk, Typist and Tabulator in the Subordinate Offices.

- Recruitment to the posts shall be made in accordance with the procedure laid down in the Subordinate Offices Ministerial Staff (Direct Recruitment) Rules, 1975 as amended from time to time. Note. - A copy of the Subordinate Offices Ministerial Staff (Direct Recruitment) Rules, 1975 is attached as Appendix II.

16. Procedure for direct recruitment to the posts of Stenographer and Tracer.

(1) For the purpose of recruitment, to the posts of Stenographers and Tracers, there shall be constituted Selection Committees as follows: (a) Stenographers:

1. District Magistrate/District Deputy Director, Consolidation.

2. Regional Deputy Director, Consolidation, nominated by Consolidation Commissioner.

3. Settlement Officer, Consolidation, nominated by Consolidation Commissioner.

(b)Tracer:

1. Regional Deputy Director, nominated by District Magistrate/Deputy Director, Consolidation.

2. Settlement Officer, Consolidation, nominated by District Magistrate/District Deputy Director, Consolidation.

3. Sub-Divisional Magistrate, nominated by District Magistrate/District Deputy Director of Consolidation.

(2)The Selection Committee shall scrutinize the applications and require the eligible candidates to appear in a competitive examination and in an interview.(3)After the marks obtained by the candidates in the written test have been tabulated, the Selection Committee shall, having regard to the need for securing due representation of the candidates belonging to Scheduled Castes, Scheduled Tribes and other categories in accordance with rule 6, call for interview such number of candidates as, on the result of the written examination have come up to the standard fixed by the Committee in this respect. The marks awarded to each candidate in the interview shall be added to the marks obtained by him in the written test.(4)The Selection Committee shall prepare a list of candidates in order of merit, as disclosed by aggregate of marks obtained by them in the written test and interview. If two or more candidates obtain equal marks, the candidates obtaining higher marks in the written test shall be placed higher. The number of the names in the list shall be larger but not larger by more than 25 per cent of the vacancies. This list shall be forwarded to the appointing authority.

17. Procedure for recruitment by promotion.

(1)Recruitment by promotion shall be made on the basis of seniority subject to the rejection of the unfit through a Selection Committee, comprising-(a)Senior-most Joint Director, Consolidation at the Headquarters.(b)One of the Deputy Directors at the headquarters nominated by the Consolidation Commissioner.(c)District Deputy Director of Consolidation nominated by the Consolidation Commissioner.Note. - In nominating the Officer, the Appointing Authority/Consolidation Commissioner shall keep in view the orders of the Government contained in G.O. No. 15/25/75-Rashtriya Ekikaran, dated May 10, 1976 or such other orders as may be in force at the time of recruitment(2)The Appointing Authority shall prepare an eligibility list of the candidates, arranged in order of seniority, and place it before the Selection Committee along with their character rolls and such other record, pertaining to them as may be considered proper.

3. The Selection Committee shall consider the cases of candidates on the basis of records referred to in sub-rule (2) and if it considers necessary, it may interview the candidates also.

4. The Selection Committee shall prepare a list of selected candidates arranged in order of seniority and forward the same to Appointing Authority.

Part VI – Appointment, Probation, Confirmation and Seniority

18. 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 15, 16 or 17, as the case may be. (2) The appointing authority may make appointments in temporary and officiating vacancies also from the lists referred to in sub-rule (1). If the list of candidates is exhausted or no candidate is available for appointment from the list of selected candidates the concerned appointing authority may make appointments in such vacancies from amongst persons eligible for appointment under these rules. Such an appointment will not last for period exceeding six months.

19. Probation.

(1) A person on appointment to a post in the service in or against 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 in exceptional circumstances the period of probation shall not be extended for more than one year and in no case 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, 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 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.

20. 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 found to be satisfactory, (b) his integrity is certified, and (c) the appointing authority is satisfied that he is otherwise fit for confirmation.

21. Seniority.

- Seniority in any category of posts in the service shall be determined from the date of order of substantive appointment and if two or more persons are appointed together, from the order in which their names are arranged in the appointment order: Provided that - (1) the inter se seniority of the persons directly appointed to the Service shall be the same as determined at the time of selection, and (2) the inter se seniority of persons appointed to the Service by promotion shall be the same as it was in the substantive post held by them at the time of promotion. Notes - (1) 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. (2) Where the appointment order specifies an earlier date with effect from, when a person is appointed substantively that date will be deemed to be the date of order of substantive appointment. In other cases, it will mean the date of issue of the order.

Part VII – Pay Etc.

22. 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 pay at the time of commencement of these rules are given in Appendix I.

23. 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 pay-scale when he has completed one year of the satisfactory service, has passed departmental examination and undergone training, where prescribed and second increment after two years services 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.

24. Criteria for crossing efficiency bar.

(1) No Superintendent shall be allowed to cross the efficiency bar unless he has worked diligently and to the best of his ability, his work and conduct are found to be satisfactory, his control and

supervision over the staff is found to be adequate and his integrity is certified.(2)A person not covered by sub-rule (1) shall not be allowed to cross:- (1)the first efficiency bar unless his work and conduct are found to be satisfactory and unless his integrity is certified;(2)the second efficiency bar unless his work and conduct are found to be satisfactory, he is found to have worked with distinct ability and initiative and unless his integrity is certified.

25. Canvassing.

- No recommendations either written or oral, other than those required under the rules applicable to the post in the 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.

26. 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 the affairs of the State.

27. 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 rule 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.

28. Savings.

- Nothing in these rules will affect reservations and other concessions required to be provided for 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. Appendix I

Serial No.	Name of post	Scale of pay *	Number of posts-----		
			Perm.	Tern.	Total
1	2	3	4	5	6
1	Superintendent	450-25-575-EB-25-700	1	...	1
2	Assistant Superintendent	300-8-340-EB-10-440-EB-12-500	2	1	3
3	Chief Accountant	300-8-340-EB-10	1	...	1
4	Stenographer	440-EB-12-500	5	46	51

5	Record Keeper	280-8-320-EB-9-410-EB-10-450	1	...	1
6	Upper Division Assistant	...	8	7	15
7	Stenographer	250-7-285-EB-9-375-EB-10-425	1	5	6
8	Reader	230-6-290-EB-8-330-EB-10-380	...	3	3
9	Routine Clerk	...	2	1	3
10	Accountant	...	1	...	1
11	Senior Accounts Clerk	...	4	3	7
12	Assistant Record Keeper	...	1	...	1
13	Nazir	...	...	1	1
14	Librarian	...	...	1	1
15	Lower Division Assistant	200-5-250-EB-6-280-EB-8-320	4	6	10
16	Lower Division Clerk	...	...	1	1
17	Typist	...	4	3	7
18	Junior Account Clerk	...	2	...	2
19	Routine Clerk	...	2	...	2
20	Ahalmad	...	...	10	10

Note - The orders into force at the time of commencement of these rules are contained in G.O. No. 37/169. Appointment (B), dated January 1, 1970. (Annexure 'A') Appendix III In 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. 27/2/1974-Personnel, dated July 29, 1975: