

The U.P. Food and Civil Supplies (Weights and Measures) Ministerial Service Rules, 1979

UTTAR PRADESH

India

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Rule

THE-U-P-FOOD-AND-CIVIL-SUPPLIES-WEIGHTS-AND-MEASURES-MINISTERIAL SERVICE RULES, 1979

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Part I – General

1. Short title and commencement.

(1) These rules may be called the Uttar Pradesh Food and Civil Supplies (Weights and Measures) Ministerial Service Rules, 1979. (2) They shall come into force at once.

2. Status.

- The Food and Civil Supplies (Weights and Measures) Ministerial Service comprises Group 'C' posts.

3. Definitions.

- In these rules, unless there is anything repugnant in the subject or context, -(i) "appointing authority" in respect of the posts of the IV Grade Clerks, Junior Accounts Clerks and Stenographers in a region, means the Deputy Controller of the region and, in respect of the aforesaid posts in the

service means the Controller;(ii)"Citizen of India" means a person who is or is deemed to be a citizen of India under Part II of the Constitution;(iii)"Constitution" means the Constitution of India;(iv)"Controller" means the Controller, Weights and Measures, Uttar Pradesh appointed by the Government under Section 14 of Uttar Pradesh Weights and Measures (Enforcement) Act, 1959;(v)"Deputy Controller" means the Deputy Controller of a Region appointed by Government under Section 14 of the Uttar Pradesh Weights and Measures (Enforcement) Act, 1959;(vi)"Food Commissioner" means the Commissioner of Food and Civil Supplies, Uttar Pradesh;(vii)"Government" means the Government of Uttar Pradesh;(viii)"Governor" means the Governor of Uttar Pradesh;(ix)"Member of the service" means a person appointed in a substantive capacity under the provisions of the rules or of rules or orders in force prior to the commencement of these rules, to a post in the cadre of the service; ?(x)"service" means the Uttar Pradesh Food and Civil Supplies (Weights and Measures) Ministerial Service; and(xi)"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)Strength of the service and of each category of 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 below :

Post	Permanent	Temporary	Total
1	2	3	4
IV Grade Clerks	9	-	9
Junior Accounts Clerks	60	22	82
Senior Clerks	4	-	4
Senior Accounts Clerks	56	24	80
Noter and Drafter	4	2	6
Accountants	5	-	5
Computer-cum Investigator	1	-	1
Head Clerks	4	-	4
Chief Accountant	-	1	1
Head Assistant	1	-	1
Stenographer (10% of the posts of Stenographer are inselection grade).	10	-	10
Total	154	49	203

Provided that-(a)the appointing authority may leave unfilled or the Governor may hold in abeyance any vacant post without thereby entitling any person to compensation; or(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 various categories of posts in the service shall be made from the following sources :

1	2
(1) IV Grade Clerks	(i) By direct recruitment in accordance with the provisions of the Sub-ordinate Offices Ministerial Staff (Direct Recruitment) Rules, 1975. (ii) By promotion of Group 'D' employees to the extent of 10% of the vacancies in accordance with the proviso to Rule 7 of the Subordinate Offices Ministerial Staff (Direct Recruitment) Rules, 1975.
(2) Junior Accounts Clerks	
(3) Senior Accounts Clerks	By promotion on the basis of seniority subject to the rejection of the unfit from amongst permanent Junior Accounts Clerks and IV Grade Clerks.
(4) Senior Clerks	
(5) Noter and Drafters	By promotion on the basis of seniority subject to the rejection of the unfit from amongst permanent Senior Accounts Clerks and Senior Clerks.
(6) Computers-Cum-Investigators.	
(7) Accountants.	
(8) Head Clerks.	By promotion on the basis of seniority subject to the rejection of the unfit from amongst permanent Noters and Drafters, Computer-cum-Investigators and Accountants.
(9) Chief Accountant.	By promotion on the basis of seniority subject to the rejection of the unfit from the amongst permanent Head Clerks.
(10) Head Assistant.	By promotion on the basis of seniority subject to the rejection of the unfit from amongst permanent Chief Accountant and Head Clerks.
(11) Stenographer (Ordinary) Grade.	By direct recruitment.
(12) Stenographer (Selection) Grade.	By promotion on the basis of seniority subject to the rejection of the unfit from amongst permanent Stenographers (ordinary grade).

6. Reservation for Scheduled Castes and other categories.

- Reservations for 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 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 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 the 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 necessary certificate being obtained by him or issued in his favour.

8. Academic qualifications for direct recruitment.

(1)A candidate for direct recruitment to the posts of IV Grade Clerk and Junior Accounts Clerks must have the qualifications prescribed in the Subordinate Offices Ministerial Staff (Direct Recruitment) Rules, 1975.(2)A candidate for the post of Stenographer must have passed the Intermediate Examination of the Board of the High School and Intermediate Education, Uttar Pradesh or an examination recognised by the Government as equivalent thereto and must have a good working knowledge of Hindi in written Devanagri Script.(3)A candidate for the post of Stenographer must in addition to the qualifications laid down in sub-rule (2), possess a speed of 80 words per minute in Hindi shorthand and 30 words per minute in Hindi typewriting.

9. Preferential qualifications.

- Candidate who-(1)has served in the territorial army for a minimum period of two years, or(2)has obtained 'B' certificate of the National Cadet Corps, and(3)in the case of posts of Stenographer has knowledge of English shorthand and English typewriting, shall other things being equal, be given preference over other candidates in the matter of direct recruitment.

10. Age.

- A candidate for direct recruitment-(i)to the post of IV Grade Clerks and Junior Accounts Clerks must have attained the age as prescribed in the Subordinate Offices Ministerial Staff (Direct Recruitment) Rules, 1975, and(ii)to the post of Stenographer must have attained the age of twenty-one years and must not have attained the age of more than twenty-seven years on the first day of January of the year in which recruitment is to be made, if the posts are advertised during the period from January 1 to June 30, and on the first day of July if the posts are advertised during the period from 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 a State Government or by a Local Authority or by a Body or Corporation or undertaking 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 any 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 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 and contained in Chapter III of the Financial Handbook, Vol. II, Part IV :Provided that a medical certificate shall not be required from a candidate recruited by promotion.

Part V – Procedure For Recruitment

14. Determination of vacancies.

- The Controller shall determine the number of vacancies of posts which are required to be filled by direct recruitment 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 in the vacancies of the particular Region to the concerned Deputy Controller, Weights and Measures, specifying the vacancies, to be reserved as aforesaid. The appointing authority shall notify the vacancies in the posts of IV Grade Clerks and Junior Accounts Clerks which are to be filled by recruitment to the Secretary, District Selection Committee and the vacancies in the posts of Stenographer ordinary grade to the Employment Exchange in accordance with the rules and orders for the time being in force.

15. Procedure for recruitment to the posts of IV Grade Clerks and Junior Accounts Clerk.

- Recruitment to the posts of IV Grade Clerk and Junior Accounts Clerk shall be made through District Selection Committee at the headquarters of the Deputy Controller in accordance with the Subordinate Offices Ministerial Staff (Direct Recruitment) Rules, 1975 as amended from time to time.

16. Procedure for recruitment to the post of Stenographer (Ordinary Grade).

(1) For the purpose of recruitment to the post of Stenographer (Ordinary Grade) there shall be constituted a Selection Committee comprising-(i) Appointing Authority, or an Officer not below the rank of Gazetted Group 'B' Officer, nominated by him. (ii) An officer, not below the rank of District Supply Officer, to be nominated by the Appointing Authority. (iii) Regional Accounts Officer or Assistant Controller, Weights and Measures to be nominated by the Appointing Authority. (2) The appointing authority shall scrutinize the applications and require the eligible candidates to appear in a competitive examination. (3) After the marks obtained by the candidates in the written test have been tabulated the Selection Committee shall have regard, to the need for securing the representation of the candidate belonging to the 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 the 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 in the list. The number of names in the list shall be larger but not larger by more than 25 per cent of the vacancies. Note.-The Syllabus and the procedure of the competitive examination are given in Appendix 'A'.

17. Recruitment by promotion.

(1) For the purpose of recruitment by promotion there shall be constituted a Selection Committee comprising-(i) Controller, Weights and Measures, Uttar Pradesh; (ii) Additional Food Commissioner; and (iii) any other officer, not below the rank of Deputy Controller nominated by the Controller. (2) The Controller shall prepare a list of eligible 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 the candidates on the basis of the records referred to in sub-rule (2) and if it considers necessary, it may also interview any or all the candidates. (4) The Selection Committee shall prepare a list of selected candidates arranged in order of seniority and forward the same to the appointing authority.

Part VI – Appointment, Probation, Confirmation and Seniority

18. Appointment.

(1) On the occurrence of substantive vacancies the appointing authority shall make appointments by taking candidates in the order in which they stand by 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 list referred to in sub-rule (1). If no candidate borne on these list is available, he may make ad hoc appointment in such vacancies from the persons eligible for appointment under these rules : Provided that such ad hoc appointments to the posts of IV Grade Clerks and Junior Accounts Clerk shall not be made for a period of more than six months or till the next selection whichever is earlier and shall not be made for a period exceeding one year, or till the next selection whichever is earlier.

19. 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 exact date up to which extension is granted. Provided that save in exceptional circumstances the period of probation shall not be extended beyond 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, or 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 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 extended period of probation if his work and conduct have been found to be satisfactory and his integrity is certified and if 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 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 : (i) The inter se seniority of persons directly appointed to the service shall be the same as determined at the time of selection. (ii) 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. Note.-A directly recruited candidate may lose his seniority if he fails to join without valid reason when a vacancy is offered to him. Whether the reason in any particular case is valid or not shall be decided by the appointing authority.

Part VII – Pay, etc.

22. [Scale of pay] [For Latest Pay Scale, please see Current G.O.].

(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 admissible at the time of commencement of these rules are as follows :

1	2
1. IV Grade Clerks	} Rs. 200-5-250-E.B.-6-280-E.B.-8-320.
2. Junior Accounts Clerks	
3. Senior Clerks	} Rs. 230-6-290-E.B.-9-335-E.B.-10-385.
4. Senior Accounts Clerks	
5. Noter and Drafters	} Rs. 250-7-285-E.B.-9-375-E.B.-10-425
6. Accountant	
7. Computer-cum-Investigator.	
8. Head Assistant	Rs. 400-15-475-E.B.-15-550.
9. Stenographer (Ordinary Grade).	Rs. 250-7-285-E.B.-9-375-E.B.-10-425.
10. Stenographer (Selection Grade)	Rs. 300-8-340-E.B.-10-440-E.B.-12-500.
11. Head Clerks.	Rs. 280-8-296-9-350-E.B.-10-400-E.B.-12-460.
12. Chief Accountant.	Rs. 300-8-340-E.B.-10-440-E.B.-12-500.

23. Pay during probation.

(1) Notwithstanding any provisions in the Fundamental Rules to the contrary, a person on probation, if he is not already in permanent Government service, shall be allowed to draw 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 servants generally serving in connection with the affairs of the State.

24. Criterion for crossing efficiency bar.

(1) No IV Grade Clerk and Junior Accounts Clerk shall be allowed to cross-(i) the first efficiency bar unless his work and conduct are found to be satisfactory and he possesses minimum speed of 25 words per minute in Hindi Typewriting, and unless his integrity is certified; and (ii) the second efficiency bar unless he is found to have acquired good knowledge of rules and regulations of Weights and Measures organisation and has worked steadily and his work and conduct are found to be satisfactory and unless his integrity is certified. (2) No Senior Accounts Clerks, Senior Clerks, Noter and Drafter or Computer-cum-Investigator and Accountant shall be allowed to cross-(i) the first efficiency bar unless his work and conduct are found to be satisfactory and unless his integrity is certified; and (ii) the second efficiency bar unless he has acquired adequate knowledge of the rules and procedures having a bearing on his duties, his work and conduct are found to be satisfactory and unless his integrity is certified. (3) No Head Clerk or Chief Accountant shall be allowed to cross-(i) the first efficiency bar unless he has worked steadily and his work is found to be satisfactory and unless his integrity is certified; and (ii) the second efficiency bar unless he has acquired adequate knowledge of the rules and procedures having a bearing on his duties, his work and conduct are found to be satisfactory and unless his integrity is certified. (4) No Head Assistant shall be allowed to cross the efficiency bar unless he is found to possess a thorough knowledge of the rules and procedures applicable to the day-to-day working of the Headquarters office unless his work and conduct are found to be satisfactory and unless his integrity is certified. (5) No Stenographer (Ordinary Grade) and Stenographer (Selection Grade) shall be allowed to cross-(i) the first efficiency bar unless his work and conduct are found to be satisfactory and unless his integrity is certified; and (ii) the second efficiency bar unless his work and conduct are found to be satisfactory and can be depended upon for keeping official secrets and unless his integrity is certified.

Part VIII – Other Provisions

25. Canvassing.

- No recommendations, 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 by other means will disqualify him for appointment.

26. 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.

27. Relaxation from condition of services.

- Whether 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.

28. Savings.

- Nothing in these rules shall affect reservations and other concessions required to be provided for Scheduled Castes, Scheduled Tribes and other special categories of persons in accordance with the order issued by the Government from time to time in this regard. Appendix 'A' (Part V, Rule 16)

1. The subjects of the competitive test and the maximum marks on each subject for the post of Stenographer shall be as follows :

Written papers	Maximum Marks
1	2
1. Shorthand (Hindi)	100
2. Type writing (Hindi)	50
3. Hindi Composition	50
Oral test	
(a) Personality	25
(b) General knowledge and suitability	25
	250

2. The test in shorthand will, consist of dictation of a passage in Hindi for five minutes at the speed of 80 words per minute. One hour will be allowed for transcribing and typing the shorthand record of dictation. The passage will be selected with a view to testing the candidates not only in their speed in shorthand but also in their knowledge of good and idiomatic Hindi. No candidate will be considered to have qualified for employment, whose percentage of errors exceed 5 in the test.

3. The test in Hindi composition will be of two hours duration. Candidates will be required to write a letter or an essay on a subject.