

U.P. Inspectorate of Government Offices Drivers Service Rules, 1992

UTTAR PRADESH

India

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Rule

U-P-INSPECTORATE-OF-GOVERNMENT-OFFICES-DRIVERS-SERVICE of 1992

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U.P. Inspectorate of Government Offices Drivers Service Rules, 1992Published Vide Notification No. 862/43-l-91-77-(1)-91, dated 8th June, 1992In exercise of the powers conferred by the proviso to Article 309 of the Constitution and in supersession of all existing rules and orders on the subject, the Governor is pleased to make the following rules regulating recruitment and conditions of service of persons appointed to the Uttar Pradesh Inspectorate of Government Offices Drivers Service:

Part I

General

1. Short title and commencement.

(1)These rules may be called the Uttar Pradesh Inspectorate of Government Offices Drivers Service Rules, 1992.(2)They shall come into force at once.

2. Status of the Service.

- The Uttar Pradesh Inspectorate of Government Offices 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 Chief Inspector; (b)"Citizen of India" means a person who is or is deemed to be a citizen of India under Part II of the Constitution; (c)"Constitution" means the Constitution of India; (d)"Chief Inspector" means the Chief Inspector of Government Offices, Uttar Pradesh; (e)"Government" means the State Government of Uttar Pradesh; (f)"Governor" means the Governor of Uttar Pradesh; (g)"Member of the service" means a person substantively appointed under these rules or the rules or orders in force prior to the commencement of these rules to a post in the cadre of the Service; (h)"Service" means the Uttar Pradesh Inspectorate of Government Offices 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 were no rules, in accordance with the procedure prescribed for the time being by executive instructions issued by the Government; and (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 the Service shall, until orders varying the same are passed under sub-rule (1), be as under :

Name of post		Number of posts	
Permanent	Temporary	Total	
Driver	...	1	1

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 as he may consider proper.

Part III – Recruitment

5. Source of recruitment.

- Recruitment to the 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 in accordance with the orders of the Government in force at the time of recruitment.

Part IV – Qualifications

7. Nationality.

- A candidate for 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 for 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 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 interview and he may also be provisionally appointed subject to the necessary certificate being obtained by him or issued in his favour.

8. Academic qualification and experience.

- A candidate for recruitment to a post in the Service-(i)must have passed Class VIII Examination; and(ii)must possess valid driving licence (Heavy Vehicles) for the post of Driver (Heavy Vehicle) and driving licence (Light Vehicle) for the post of Driver (Light Vehicle) for a period of not less than 3 years preceding the date of notification of vacancies under Rule 14.

9. Preferential qualification.

- A candidate who has-(1)passed High School Examination of the Board of High School and Intermediate Education, Uttar Pradesh or an Examination recognised by Government as equivalent thereto;(2)knowledge of vehicle mechanisms;(3)served in the Territorial Army for a minimum period of two years; or(4)obtained a 'B' certificate of National Cadet Corps,shall, other things being equal, be given preference in the matter of recruitment.

10. Age.

- A candidate for recruitment must have attained the age of 21 years and must not have attained the age of more than 32 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 Governor 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 by a Local Authority or by a Corporation or Body owned or controlled by the Union Government or a State Government shall be ineligible for appointment to a 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 a Medical Certificate of fitness in accordance with the rules framed under Fundamental Rule 10, contained in Chapter III of the Financial Handbook, 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 :

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| (i) appointing authority | ... Chairman |
| (ii) Regional Transport Officer or his nominee | ... Member |
| (iii) Three officers nominated by the appointing authority, belonging respectively to- | ... Members |

(a) Scheduled Caste or Scheduled Tribes (b) Minority Community (c) Backward Class Provided that, if the appointing authority and or the Regional Transport Officer or the latter's nominee, as the case may be, belongs to the Scheduled Caste or Scheduled Tribe or Minority Community or Backward Class, the number of nominees of the appointing authority shall be reduced accordingly. (2) The Selection Committee shall scrutinise the applications and require the eligible candidates to appear for an interview. (3) The Selection Committee shall prepare a list of the candidates in order of merit as disclosed by the marks obtained by them 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 names in the list shall be larger (but not larger by more than twenty-five percent) than the number of vacancies.

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 circumstance 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.

18. Confirmation.

(1) Subject to the provisions of sub-rule (2) 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 J confirmation. (2) Where, in accordance with the provisions of the Uttar Pradesh State Government Servants Confirmation Rules, 1991, confirmation is not necessary, the order under sub-rule (3) or Rule 5 or those rules declaring that the person concerned has successfully completed the probation, shall be deemed to be the order of confirmation.

19. Seniority.

- The Seniority of persons substantively appointed in the service shall be determined in accordance with the Uttar Pradesh Government Servants Seniority List Rules, 1991, as amended from time to time.

Part VII – Pay, Etc.

20. Scale of pay.

(1)The scale of pay admissible to persons 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 the commencement of these rules is Rs. 950-20-1,150-E.B.-25-1,500.

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 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 generally to Government Servants serving in connection with the affairs of the State.

22. Criteria 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. 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 will disqualify him for appointment.

24. Regulation of other matters.

- In regard to the 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 from the conditions of service.

- When 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.

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.