

The U.P. Electro-Medical Maintenance Cell Engineering Service Rules, 1983

UTTAR PRADESH

India

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Rule

THE-U-P-ELECTRO-MEDICAL-MAINTENANCE-CELL-ENGINEERING-S of 1983

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Part I – General

1. Short title and commencement.

(1)These rules may be called the Uttar Pradesh Electro-Medical Maintenance Cell Service Rules, 1983.(2)They shall come into force at once.

2. Status of the Service.

- The Uttar Pradesh Electro-Medical Maintenance Cell Engineering Service comprises Group A posts.

3. Definitions.

- In these rules unless there is anything repugnant in the subject or context,-(a)"appointing authority" means the Governor;(b)"Additional Director (Medical Care)" means the Additional Director (Medical Care) of the Medical and Health and Family Welfare, U.P.:(c)"Assistant

Engineering (Electrical Cell)" means the Assistant Engineer of the Electro-Medical Maintenance Cell under the Medical Health and Family Welfare Department, Uttar Pradesh;(d)"Citizen of India" means a person who is or is deemed to be a citizen of India under Part II of the Constitution;(e)"Commission" means the Uttar Pradesh Public Service Commission;(f)"Constitution" means the Constitution of India;(g)"Director" means the Director of Medical Health and Family Welfare, Uttar Pradesh;(h)"Deputy Director (Electrical)" means the Deputy Director, Electrical of the Electro-Medical Maintenance Cell of Director Medical Health and Family Welfare, U.P.;;(i)"Government" means the State Government of Uttar Pradesh;(j)"Governor" means the Governor of Uttar Pradesh;(k)"Member of the Service" means a person substantively appointed under these rules or rules or orders in force prior to the commencement of these rules to a post in the cadre of the service;(l)"Service" means the Uttar Pradesh Electro-Medical Maintenance Cell Engineering Service;(m)"Year of recruitment" means the period of twelve months commencing from the first day of July of calendar year.

Part II – Cadre

4. Cadre of.

(1)The strength of the service and of each category of posts therein shall be such as may be determined by the Government 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 ;

	Permanent	Temporary
(i) Deputy Director (Electrical)	...	1
(ii) Assistant Engineer (Electrical Cell).	...	5 (one Mechanical, one Electronics and threeElectrical):

Provided that the Governor may-(i)leave unfilled or held in abeyance any vacant posts, without thereby entitling any person to compensation;(ii)create such additional permanent or temporary posts 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) Deputy Director (Electrical) | By promotion from amongst Assistant Engineers (Electricalcell) who have put in at least five years continuous service asAssistant Engineer in the Electro-Medical Maintenance Cell. |
| (2) | |

Assistant Engineer (a) 75% by direct recruitment.(b) 25% by promotion fromamongst
(Electrical Cell) technologists of Electro-Medical Maintenance Cell.

6. Reservation.

- Reservation from the conditions belonging to 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, Sri Lanka, Burma 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 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.

8. Academic qualification.

- A candidate for direct recruitment to the post of Assistant Engineer (Electrical Cell) must possess :
(a)Degree in Mechanical/Electronics Electrical Engineering from any recognised University,
or(b)Diploma in Mechanical, Electrical or Electronics from any technical institution having at least seven years experience for the maintenance of hospital equipment.

9. Preferential qualification.

- A candidate who has-(i)served in the Territorial Army for a minimum period of two years, or(ii)obtained a 'B' certificate of National Cadet Corps, shall, other things being equal, be given preference in the matter, of direct recruitment.

10. Age.

- A candidate for direct recruitment must have attained the age of 21 years and must not have attained the age of more than 30 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 of July 1 to December 31 :Provided that the upper age-limit in the case of the candidate for whom experience is a necessary qualification shall be greater by the number of years experience so required ;Provided further 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.

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 pass an examination by a Medical Board; Provided that the candidates recruited by promotion shall not be required to appear before the Medical Board.

Part V – Procedure for recruitment

14. Determination of vacancies.

- The appointing authority shall determine and intimate to the Commission the number of vacancies 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 Scheduled Castes, Scheduled Tribes, and other categories under Rule 6.

15. Procedure for direct recruitment.

(1)Application for being considered for selection for direct recruitment shall be invited by the Commission in the prescribed form which may be obtained from the Secretary to the Commission.(2)The Commission shall be 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 requisite qualifications, as they consider proper.(3)The Commission 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 Commission shall arrange their names in order of merit on the basis of their general suitability for the service. 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 Commission shall forward the list to the appointing authority.

16. Procedure for recruitment by promotion.

(1)Recruitment by promotion to the post of Deputy Director (Electrical) shall be made on the basis of seniority subject to the rejection of unfit, through Selection Committee comprising ;(i)The Secretary to the Government in the Medical, Health and Family Welfare Department.(ii)The Director.(iii)The Additional Director (Medical Care) or any equivalent officer to be nominated by the Government.(2)The appointing authority shall prepare an eligibility list of the candidates, arranged in order of seniority and place it before the Selection Committee alongwith 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 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 the appointing authority.(5)Recruitment by promotion to the posts of Assistant Engineer (Electrical Cell) shall be made on the basis of merit in accordance with the provisions of the Uttar Pradesh Promotion By Selection in Consultation with Public Service Commission (Procedure) Rules, 1970, as amended from time to time.

Part VI – Appointment, Probation, Confirmation and Seniority

17. Combined select list.

- If in any year of recruitment, appointments are to be made both by direct recruitment and by promotion, a combined select list shall be prepared by taking the names of candidates from the relevant lists, in such manner that the prescribed percentage is maintained, the first name in the list being of the person appointed by promotion.

18. Appointment.

(1)Subject to the provisions of sub-rule (2) the appointing authority shall make appointments by taking the names of candidates in the order in which they stand the lists prepared under Rules 15,16 or 17, as the case may be.(2)Where, in any year of recruitment, appointments are to be made both by direct recruitment and by promotion, regular appointments shall not be made unless selections are made from both the sources and a combined list is prepared in accordance with Rule 17.(3)If more than one orders 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 or, as the case may be, as it stood in the cadre from which they are promoted. If the appointments are made both by direct recruitment and by promotion, names shall be arranged in accordance with the order, referred to in Rule 17.(4)The appointing authority may make appointments in temporary or officiating capacity also from the list referred to in sub-rule (1). If no candidate borne on these lists is available, he may make appointments in such vacancy from amongst persons eligible for appointment under these rules. Such appointments shall not last a period exceeding one year or beyond the next selection under these rules, whichever be earlier and where the post is within the purview of the Commission, the provisions of regulation 5 (a) of Tech. U.P. Public Service Commission (Limitation of Functions) Regulations, 1954, shall apply.

19. Probation.

(1)A person on appointment to a post in the service in or against a permanent 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 upto 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, 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 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.

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

21. Seniority.

(1)Except as hereinafter provided, the seniority of persons in any category of post shall be determined from the date of the order of substantive appointment and if two or more persons are appointed together, by the order in which their names are arranged in the appointment order :Provided that if the appointment order specified a particular back date with effect from which a person is substantively appointed, that date will be deemed to be the date of order of substantive appointment and in other cases it will mean the date of issue of the order ;Provided further that, if more than one orders of appointment are issued in respect of any one selection the seniority shall be as mentioned in the combined order of appointment issued under sub-rule (3) of Rule 18.(2)The seniority inter se of persons appointed directly on the result of any one selection, shall be the same

as determined by the Commission :Provided that a candidate recruited directly may lose his seniority if he fails to join without valid reason when vacancy is offered to him. The decision of the appointing authority as to the validity of reason shall be final.(3)The seniority inter se of persons appointed by promotion shall be the same as it was in the cadre from which they were promoted.

Part VII – Pay, etc.

22. [Scale of pay] [For current Scale of Pay, please see the Pay Scale introduced by the State Government].

(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 the commencement of these rules are as given below :

Name of the post	Scale of pay*
(i) Deputy Director (Electrical)	Rs. 1,250-50-1,300-60-1,600-E.B.-1,900-75-2,050.
(ii) Assistant Engineer (Electrical Cell)	Rs. 850-40-1,050-E.B.-1,300-60-1,420-E.B.-60-1,720

*For Latest Pay Scale, please see Current G.O.

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 first increment in the time scale when he has completed one year of satisfactory service, has passed departmental examination and undergone training, where prescribed; and second increment after two years' service when he has completed the probationary period and is also confirmed.(2)The pay during probation of a person who was already holding a post under the Government, shall be regulated in the relevant fundamental rules :Provided in cases referred to in sub-rules (1) and (2), 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 services shall be regulated by the relevant rules, applicable generally to Government servants serving in connection with the affairs of the State.

24. Criteria for crossing efficiency bars.

- No person 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 worked diligently and to the best of his ability, his work and conduct are found to be satisfactory 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 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 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 in the conditions of service.

- Where the State Government is satisfied that the operation of any rule, regulating the conditions of service of a person 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 :Provided that where a rule has been framed in consultation with the Commission that body shall be consulted before the requirements of the rule are dispensed with or relaxed.

28. 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 of the Government issued from time to time.