

The U.P. Government College of Architecture (Technical) Service Rules, 1994

UTTAR PRADESH

India

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Rule

THE-U-P-GOVERNMENT-COLLEGE-OF-ARCHITECTURE-TECHNICAL- of 1994

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The U.P. Government College of Architecture (Technical) Service Rules, 1994Published vide Notification No. 980/94-16-1 - 710-92, dated 21st February, 1994, published in U.P. Gazette, Part 1 (ka), dated 30th April, 1994In 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. 980/94-16-1 - 710-92, dated February 21, 1994:In 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 the conditions of service of persons appointed to the Uttar Pradesh Government College of Architecture (Technical) Service:

Part I – General

1. Short title and commencement.

(1)These rules may be called "The Uttar Pradesh Government College of Architecture (Technical) Service Rules, 1994".(2)They shall come into force at once.

2. Status of the service.

- The Uttar Pradesh Government College of Architecture (Technical) Service comprises Group 'C' posts.

3. Definitions.

- In these rules unless there is anything repugnant in the subject or context, - (a) "appointing authority" means the Principal; (b) "citizen of India" means a persons who is or is deemed to be citizen of India under Part II of the Constitution; (c) "Constitution" means the Constitution of India; (d) "Government" means the State Government of Uttar Pradesh; (e) "member of 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; (f) "Principal" means the Principal, Government College of Architecture, Lucknow; (g) "Service" means the Uttar Pradesh Government College of Architecture (Technical) Service; (h) "substantive appointment" means an appointment not being an ad hoc appointment, on a post in the cadre of the service, and 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; (i) "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 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 in the Appendix: Provided that - (1) the appointing authority may leave unfilled or the Governor may hold in abeyance any vacant post without thereby entitling any person to compensation; (2) 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 various categories of posts in the Service shall be made by direct recruitment through the Selection Committee.

6. Reservation.

- Reservation for the candidates belonging to Scheduled Castes, Scheduled Tribes and other categories shall be in accordance with the order of the Government in force at the time of the recruitment.

Part IV – Qualification

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

8. Academic qualification.

- A candidate for direct recruitment to the various posts in the Service must possess the following qualifications:

1. Photo Artist. - (1) Must have passed High School Examination from the Board of High School and Intermediate Education, Uttar Pradesh or an examination recognised by the Government as equivalent thereto.

(2)Must possess a Diploma in Photography from a recognised institution.

2. Workshop Assistant. - Must possess three years Diploma in Electrical or Mechanical Engineering from State Board of Technical Education, Uttar Pradesh or diploma in Electrical or Mechanical Engineering from an institution recognised by the Government.

3. Technical Assistant (Surveying). - (1) Must possess three years diploma in Civil Engineering from State Board of Technical Education, Uttar Pradesh, or diploma in Civil Engineering from an institution recognised by the Government.

(2) One year practical experience in a workshop.

4. Librarian. - A Bachelor's degree in Library Science from a University established by law in India, or a degree recognised by the Government or equivalent thereto.

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 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 18 years and must have not attained the age of more than 32 years on the first day of July of the calendar year in which the vacancies for direct 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 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. - Person dismissed by the Union Government or a State Government or by 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 in 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 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: 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 the candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories under Rule 6. The vacancies for direct recruitment shall be notified to the Employment Exchange in accordance with the rules and orders for the time being in force.

15. Procedure for direct recruitment.

(1) For the purpose of recruitment, there shall be constituted a Selection Committee as follows:

1. Appointing authority.

2. An officer belonging to the Scheduled Castes or Scheduled Tribes, nominated by the District Magistrate, if the appointing authority does not belong to the Scheduled Castes or Scheduled Tribes, an officer other than belonging to Scheduled Castes or Scheduled Tribes to be nominated by the District Magistrate.

3. Two officers nominated by the appointing authority one of whom shall be an officer belonging to minority community and the other belonging to Backward Class. If such suitable officers are not available in his department or organisation such officers shall, on the request of the appointing authority, be nominated by the District Magistrate and on his failure to do so by reason of nonavailability of suitable officers as such, such officers 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 requisite qualifications as it considers proper. (3) The Selection Committee shall prepare a list of the candidates in order of their proficiency as disclosed by the marks obtained by each candidate in the interview. If two or more candidates obtained equal marks, the Selection Committee shall arrange their names in order of merit on the basis of their general suitability for the Service. The number of the list shall be larger (but not larger by more than 25%) than the number of 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 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 it stood in the cadre from which they were promoted.

17. Probation.

(1)A person substantively appointed 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 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 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, 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 services 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 in any category of posts shall be determined in accordance with the Uttar Pradesh Government Servants Seniority Rules, 1991, as amended from time to time.

Part VII – Pay Etc.

20. Scale of pay.

(1)The scales of pay admissible to persons appointed to the various categories of posts the service 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 given as follows:

Name of Post	Scale of Pay*
(1) Photo Artist	... Rs. 1,400-40-1,800-E.B.-50-2,300.
(2) Workshop Assistant	... Rs. 1,400-40-1,800-E.B.-50-2,300.
(3) Technical Assistant (Surveying)	... Rs. 1,400-40-1,800-E.B.-50-2,300.
(4) Librarian	... Rs. 1,400-40-1,800-E.B.-50-2,300.

* For latest Scale of Pay, please see current G. O.

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 year's 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 is 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 the permanent Government service shall be regulated by the relevant rules, applicable to Government Servants generally serving in connection with the affairs of the State.

22. Criteria for crossing efficiency bar.

- No persons shall be allowed to cross the efficiency bar unless his work and conduct are found to be satisfactory and unless 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 in the conditions of services.

- 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 just and equitable manner.

26. Saving.

- 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 in this regard. Appendix [See Rule 4 (2)]

Serial No.	Name of the post	Number of posts	
	Permanent Temporary	Total	
1.	Photo Artist	-	1 1
2.	Workshop Assistant	-	1 1
3.	Technical Assistant (Surveying)	1	- 1
4.	Librarian	-	1 1