

The U.P. Ground Water (Engineers and Scientists) Service Rules, 1999

UTTAR PRADESH

India

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Rule

THE-U-P-GROUND-WATER-ENGINEERS-AND-SCIENTISTS-SERVICE-RULES-1999

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The U.P. Ground Water (Engineers and Scientists) Service Rules, 1999Published vide Notification No. 1723/62-1-99-100-G.W.-95-T.C.I., dated 6th July, 1999, published in U.P. Gazette, Part 1 (ka), dated 11th September, 1999In exercise of the powers conferred by the provisions 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 Ground Water (Engineers and Scientists) Service.

Part I – General

1. Short title and commencement.

(1)These rules may be called the Uttar Pradesh Ground Water (Engineers and Scientists) Service Rules, 1999.(2)They shall come into force at once.

2. Status of the service.

- The Uttar Pradesh Ground Water (Engineers and Scientists) Service is State Service, Comprising Groups 'A' and 'B' posts.

3. Definitions.

- In these rules unless there is anything repugnant in the subject or context, - (a) "Appointing Authority" means the Governor; (b) "Assistant Geologist" includes Hydrologist (Geology); (c) "Assistant Engineer (Civil)" includes Hydrologist (Civil); (d) "Assistant Engineer (Mechanical)" includes Assistant Mechanical Engineer and Hydrologist (Mechanical); (e) "Chemist" includes Assistant Chemist; (f) "Citizen of India" means a persons who is, or is deemed to be citizen of India under Part II of the Constitution; (g) "Commission" means the Uttar Pradesh Public Service Commission; (h) "Constitution" means the Constitution of India; (i) "Department" means the Uttar Pradesh Ground Water Department; (j) "Government" means the State Government of Uttar Pradesh; (k) "Governor" means the Governor of Uttar Pradesh; (l) "Hydrologist (Geology)" includes Assistant Geologist; (m) "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; (n) "Senior Hydrologist" includes Geo-hydrologist; (o) "Service" means the Uttar Pradesh Ground Water (Engineers and Scientists) Service; (p) "Substantive appointment" means an appointment not being an ad hoc appointment, on a post in the cadre of service, 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; (q) "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 - (a) the Governor may leave unfilled 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 various categories of posts in the Service shall be made from the following sources : (1) Director. - By promotion through the Selection Committee from amongst substantively appointed Joint Director (Geology/Geophysics) and Superintending Engineers (Mechanical/Civil) who have completed three years' service, as such, and a total service of twenty years, including the service rendered on a Group "B" or a higher post in an Engineering Department of the Government on the first day of the year of recruitment: Provided that if eligible or suitable candidates are not available for promotion, the post may be filled by deputation from amongst Chief Engineer Level II

of other Engineering Departments of the Government.(2)Joint Director (Geology/Geophysics). - By promotion through the Selection Committee from amongst substantively appointed Senior Hydro-geologist, Senior Geophysicist and Personal Assistant (Technical), Scientific Discipline who have completed seven years' service, as such and total service of fifteen years in the department on the first day of the year of recruitment.(3)Superintending Engineer (Mechanical/Civil). - By promotion through the Selection Committee from amongst substantively appointed Executive Engineers (Mechanical) and Executive Engineers (Civil) who have completed seven years' service as such and a total service of fifteen years in the Department on the first day of the year of recruitment.(4)Executive Engineer (Civil). - By promotion through the Selection Committee from amongst substantively appointed Assistant Engineers (Civil) who have completed seven years' service, as such, on the first day of the year of recruitment.(5)Executive Engineer (Mechanical). - By promotion through the Selection Committee from amongst substantively appointed Assistant Engineers (Mechanical) who have completed seven years' service, as such, on the first day of the year of recruitment.(6)Senior Hydro-geologist. - By promotion through the Selection Committee from amongst substantively appointed Hydrologists (Geology) who have completed seven years' service, as such, on the first day of the year of recruitment.(7)Senior Geophysicist. - By promotion through the Selection Committee from amongst substantively appointed Assistant Geophysicist who have completed seven years' service, as such, on the first day of the year of recruitment.(8)Personal Assistant (Technical) to the Director. - Posting by transfer from amongst substantively appointed Executive Engineer (Civil) and Senior Hydro-geologists.(9)Personal Assistant (Technical) Scientific discipline. - By promotion through the Selection Committee from amongst substantively appointed Chemists and Hydrologists, who have completed seven years' service, as such, on the first day of the year of recruitment.(10)Chemist. - (i) 67 per cent by direct recruitment through the Commission.(ii)33 per cent by promotion through the Commission from amongst substantively appointed Technical Assistant (Chemistry) who have completed seven years' service, as such, on the first day of the year of recruitment.(11)Hydrologist (Nuclear Hydrology and Electrical). - By direct recruitment through the Commission.(12)Assistant Geophysicist. - (i) 67 per cent by direct recruitment through the Commission.(ii)33 per cent by promotion through the Commission from amongst substantively appointed Technical Assistant (Geophysics) who have completed seven years' service, as such, on the first day of the year of recruitment.(13)Hydrologist (Geology). - (i) 67 per cent by direct recruitment through the Commission.(ii)33 per cent by promotion through the Commission from amongst substantively appointed Technical Assistant (Geology) who have completed seven years' service, as such, on the first day of the year of recruitment.(14)Assistant Engineer (Civil). - (i) 67 per cent by direct recruitment through the Commission.(ii)25 per cent by promotion through the Commission from amongst substantively appointed Technical Assistant (Civil), Junior Engineer (Civil), Surveyors (Civil) and Computers who have completed seven years' service, as such, on the first day of the year of recruitment.(iii)8 per cent by promotion from amongst substantively appointed Technical Assistants (Civil), Junior Engineer (Civil), Surveyors (Civil) and Computers who possess the requisite qualification for direct recruitment and have completed five years' service, as such, on the first day of the year of recruitment.(15)Assistant Engineer (Mechanical). - (i) 67 per cent by direct recruitment through the Commission.(ii)25 per cent by promotion through the Commission from amongst substantively appointed Technical Assistant (Mechanical), Junior Engineers (Mechanical) and Computers who have completed seven years' service, as such, in the department on the first day of the year of recruitment.(iii)8 per cent by

promotion from amongst substantively appointed Technical Assistants (Mechanical), Junior Engineers (Mechanical) and Computers who possess the requisite qualification for direct recruitment and have completed five years' service, as such, on the first day of the year of recruitment.

6. Reservation.

- Reservation for the candidates belonging to Scheduled Castes, Scheduled Tribes and other categories shall be in accordance with the Uttar Pradesh Public Services (Reservation for Physically Handicapped, Dependants of Freedom Fighters and Ex-servicemen) Act, 1993 and the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and other Backward Classes) Act, 1994, as amended from time to time and the order of the Government in force at the time of 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, 1967, 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 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 qualification.

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

Post	Qualification
	Essential qualification
(i) Chemist	Masters degree in Physical Chemistry or Inorganic Chemistry from a University established by law in India or a degree recognised by the

	Government as equivalent thereto.
	Preferential qualification
	Two years' experience of Geochemical survey or investigation
	Essential qualification
(ii) Hydrologist (Nuclear Hydrology and Electrical)	Masters degree in Physics with specialization in Electronics or Bachelor's degree in Electrical Engineering from a University established by law in India or degree recognised by the Government as equivalent thereto.
	Preferential qualification
	'Two years' experience in Nuclear Hydrology.
(iii) Assistant Geo-physicist	Masters degree in Geophysics from a University established by law in India or a degree recognised by the Government as equivalent thereto.
	Preferential qualification
	(i) Post-graduate diploma in Hydrology/Hydrogeology.
	(ii) Two years' experience of Ground Water Investigation and exploration.
	Essential qualification
(iv) Assistant Engineer (Civil) and Assistant Engineer (Mechanical)	Bachelor's degree in Civil Engineering from a recognised Institution or a University established by law in India or Associate Member of the Institution of Engineers (India) (Civil Engineering Branch)/a Bachelor degree in Mechanical Engineering from a recognised Institution or a University established by law in India or Associate Member of Institution of Engineers (India) (Mechanical Engineering Branch) as the case may be, or a degree recognised by the Government as equivalent thereto.
	Preferential qualification
	(i) Post-graduate diploma in Hydrology;
	(ii) Two years' experience of Ground Water Investigation and exploration.
	Essential qualification
(v) Hydrologist (Geology)	Post-graduate degree in Geology or Applied Geology from a University established by law in India or a degree recognised by the Government as equivalent thereto.
	Preferential qualification
	(i) Post-graduate diploma in Hydrology or Hydrogeology;
	(ii) Two years' experience in Ground Water Investigation and exploration.

9. Preferential qualification.

- A candidates who has-(i)a preferential qualification mentioned in Rule 8, or(ii)served in the Territorial Army for a minimum period of two years, or(iii)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 twenty-one years and must not have attained the age of more than thirty-two years on the first day of the year of recruitment in which vacancies are advertised :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 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 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 pass an examination by a Medical Board :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 Scheduled Castes, Scheduled Tribes and other categories under Rule 6. The vacancies to be filled through the Commission shall be intimated to them.

15. Procedure for direct recruitment.

(1) Applications for permission to appear in the competitive examination shall be invited by the Commission in the prescribed proforma published in the advertisement issued by them. (2) No candidates shall be admitted to the examination unless he holds a certificate of admission issued by the Commission. (3) After the result of the written examination have been received and tabulated, the Commission 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, summon for interview such number of candidate as, on the result of the written examination, have come up to the standard fixed by the Commission, in this respect. The marks awarded to each candidates at the interviews shall be added to the marks obtained by him in the written examination. (4) The Commission shall prepare a list of candidates in order of their proficiency as disclosed by the aggregate of marks obtained by each candidate at the written examination and interview and recommend such number of candidates they consider fit for appointment. If two or more candidates obtain equal mark, in the aggregate, the name of the candidate obtaining higher marks in the written examination shall be placed higher. The number of names in the list shall be larger (but not larger by more than 25 per cent) than the number of vacancies. The Commission shall forward the list to the appointing authority.

16. Procedure for recruitment by promotion through the Selection Committee.

(1) Recruitment by promotion to the posts of Director, Joint Director (Geology/Geophysics), Superintending Engineer (Mechanical/Civil), Executive Engineer (Civil), Executive Engineer (Mechanical), Senior Hydro-geologist, Senior Geophysicist and Personal Assistant (Technical) (Scientific discipline) shall be made on the basis of the criterion laid down in the Uttar Pradesh Government Servants for recruitment by promotion Rules, 1994, as amended from time to time through the Selection Committee constituted in accordance with the provisions of the Uttar Pradesh Constitution of Departmental Promotion Committee for Posts Outside the Purview of the Service Commission Rules, 1992, as amended from time to time. Note. - Nomination of officers for giving representation to the Scheduled Castes, Scheduled Tribes and other Backward Classes of citizens in the Selection Committee shall be made in accordance with the order made under Section 7 of the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and other Backward Classes) Act, 1994, as amended from time to time. (2) The appointing authority shall prepare eligibility lists of the candidates in accordance with the provisions of the Uttar Pradesh Promotion by Selection (on Posts Outside the Purview of the Public Service Commission) Eligibility

List Rules, 1986, as amended from time to time and place the same before the Selection Committee alongwith character rolls and such other record pertaining to them, as may be considered proper :Provided that while preparing eligibility list under this sub-rule, where there are two different feeding cadres-(a)bearing different pay scales, the candidates belonging to the cadre, bearing higher pay scale shall be placed higher in the eligibility list,(b)bearing the same pay scale the names of the candidates shall be arranged in the eligibility list in order of the state of their substantive appointment in their respective cadres.(3)The Selection Committee shall consider the cases of candidates on the basis of the record 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 as it stood in the cadre from which they are to be promoted and forward the same to the appointing authority.

17. Procedure for recruitment by promotion through the Commission.

- Recruitment by promotion to the posts of Chemist, Assistant Geophysicist, Assistant Engineer (Civil), Assistant Engineer (Mechanical), Assistant Geologist and Hydrologist (Geology), shall be made on the basis of seniority subject to the rejection of unfit in accordance with the Uttar Pradesh Promotion by Selection in Consultation with Public Service Commission (Procedure) Rules, 1970, as amended from time to time.

18. Combined select list.

- If, in any year of recruitment appointments are made from both 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 as the first name in the list being of the person appointed by promotion.

Part VI – Appointment, Probation, Confirmation and Seniority

19. Appointment.

(1)Subject to the provisions of sub-rule (2) 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, 16,17 or 18 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 18.(3)If more than one of appointment issued in respect of any one selection a combined order shall be issued, mentioning names of the persons in order of seniority determined in the selection as the case may be as it stood in the cadre from which they are promoted. If the appointments are made by direct recruitment and by promotion, name shall be arranged in accordance with the order referred to in Rule 18.

20. 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 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.

21. Confirmation.

(1) Subject to the provision 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, and (b) his integrity is certified. (2) Where, in accordance with the provisions the Uttar Pradesh Government Servants Confirmation Rules, 1991, confirmation not necessary the order under sub-rule (6) of Rule 5 of those rules declaring that the person concerned has successfully completed the probation shall be deemed to be the order of confirmation.

22. 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.

23. 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 :

SI. No.	Name of Post	[Scale of Pay] [For latest Scale of Pay, please see current G. O.]
1	2	3 Rs.

1.	Director	16,400-450-20,000.
2.	Joint Director (Geology/Geophysics)	12,000-375-16,500
3.	Superintending Engineer (Mechanical/Civil)	12,000-375-16,500
4.	Executive Engineer (Civil)	12,000-375-16,500
5.	Executive Engineer (Mechanical)	12,000-375-16,500
6.	Senior Hydrogeologist	12,000-375-16,500
7.	Senior Geophysicist	12,000-375-16,500
8.	Personal Assistant Technical to the Director	10,000-325-15,200
9.	Personal Assistant (Technical) (Scientific Discipline)	10,000-325-15,200
10.	Chemist	10,000-325-15,200
11.	Hydrologist (Nuclear Hydrology and Electrical)	10,000-325-15,200
12.	Assistant Geophysicist	8,000-275-13,500
13.	Assistant Engineer (Civil)	8,000-275-13,500
14.	Assistant Engineer (Mechanical)	8,000-275-13,500
15.	Hydrologist (Geology)	8,000-275-13,500

24. 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 services, 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 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 by the relevant Fundamental Rules.(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.

25. 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.

26. 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.

27. 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.

28. 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 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.

29. Savings.

- Nothing in these rules shall affect reservations and other concessions required to be provided for a candidate 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)]

SI. No.	Name of the post	Number of the post	Total	
Permanent	Temporary			
1	2	3	4	5
1.	Director	1	-	1
2.	Joint Director (Geology/Geophysics)	1	-	1
3.	Superintending Engineer (Mechanical/Civil)	1	-	1
4.	Executive Engineer (Civil)	6	-	6
5.	Executive Engineer (Mechanical)	2	-	2
6.	Senior Hydrogeology	6	1	7
7.	Senior Geophysicist	2	2	4
8.	Personal Assistant (Technical) to the Director	1	-	1
9.	Personal Assistant (Technical) (Scientific Discipline)	1	-	1
10.	Chemist	2	-	2
11.	Hydrologist (Nuclear Hydrology and Electrical)	1	-	1
12.	Assistant Geophysicist	9	6	15
13.	Assistant Engineer (Civil)	24	-	24

14.	Assistant Engineer (Mechanical)	13	-	13
15.	Hydrologist (Geology)	24	3	27

Note. - The post of Personal Assistant (Technical) to the Director is included in the total number of posts of Executive Engineer (Civil) and Senior Hydro-geologists indicated at serial numbers 4 and 6.