

The U.P. Co-Operative Department Ministerial Service Rules, 1977

UTTAR PRADESH

India

The U.P. Co-Operative Department Ministerial Service Rules, 1977

Rule

THE-U-P-CO-OPERATIVE-DEPARTMENT-MINISTERIAL-SERVICE-RUL of 1977

- Published on 24 March 1979
- Commenced on 24 March 1979
- [This is the version of this document from 24 March 1979.]
- [Note: The original publication document is not available and this content could not be verified.]

The U.P. Co-Operative Department Ministerial Service Rules, 1977Published vide Notification U.P. Gazette, Part 1-Ka, dated 24th March, 1979, pages 910-917, vide Notification No. 6531/12-C-2-39 (ii)-68, dated 15th, November 1977In 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 makes the above rules regulating recruitment and conditions of service of persons appointed to the Uttar Pradesh Co-operative Department Ministerial Service.

Part I – General

1. Short title and commencement.

(1)These rules shall be called "The Uttar Pradesh Co-operative Department Ministerial Service Rules, 1977".(2)They shall come into force at once.

2. Status of the service.

- The Uttar Pradesh Co-operative Department Ministerial Service is a non-gazetted ministerial service comprising group 'C' posts.

3.

In these rules unless there is anything repugnant in the subject or context -(a)"Additional Registrar (Administration)" means an officer appointed by the Government as Additional Registrar, Co-operative Societies, Uttar Pradesh, at the Head Office of the Registrar, Co-operative Societies, Uttar Pradesh, who is authorised by the Registrar, to deal with the establishment matters relating to the service;(b)"Appointing Authority" means the Additional Registrar (Administration)(c)"citizen of India" means a person who is or is deemed to be a citizen of India under Part II of the Constitution;(d)"Constitution" means the Constitution of India;;(e)"Department" means the Co-operative Department of Uttar Pradesh Government;(f)"Deputy Registrar (Headquarters)" means Deputy Registrar, Co- operative Societies, dealing with the establishment and other office matters at the Head Office of the Registrar Co-operative Societies;(g)"Direct recruitment" means recruitment in the manner prescribed in rules 14 and 15 of these rules;(h)"Government" means the Government of Uttar Pradesh;(i)"Governor" means the Governor of Uttar Pradesh;(j)"Head Office" means the office of the Registrar, Co-operative Societies, Uttar Pradesh;(k)"Member of the service" means a person appointed in a substantive capacity under the provisions of these rules or of any rules or orders in force prior to the commencement of these rules to a post in the cadre of the service;(l)"Registrar" means the Registrar, Co-operative Societies, Uttar Pradesh as defined under Section 3 (i) of the Uttar Pradesh Co-operative Societies Act, 1965;(m)"Service" means the Uttar Pradesh Co-operative Department Ministerial Service under the administrative control of the Registrar, Co-operative Societies, Uttar Pradesh;(n)"Staff" means, the ministerial staff of the department; and(o)"Year of recruitment" means the calendar year in which recruitment made.

Part II – Cadre

4. Strength of the service.

(1)The 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 (i), be as specified in Appendix 'A' of these rules:Provided that -(a)the Governor may create such additional permanent or temporary posts from time to time as he may consider necessary;(b)the Appointing Authority may leave unfilled or the Governor may hold in abeyance any vacant post without thereby entitling any person to compensation.

Part III – Recruitment

5. Sources of recruitment.

- Recruitment to the various categories of posts in the service, whether in substantive, temporary or officiating capacity shall be made from the following sources:(1)Head Assistant - By promotion from amongst Head Clerks of Head Office.(2)Head Clerks (Head Office) - By promotion from amongst Noters and Drafters and Head Clerks of subordinate offices.(3)Noters and Drafters and Head Clerks

of subordinate offices- By promotion from amongst Senior Clerks.(4)Senior Clerks - By promotion from amongst Junior Clerks including routine clerks and typists.(5)Junior Clerks including Routine Clerks and typist - (1) By appointment of paid Apprentices.(2)By promotion from amongst High School pass Class IV employees in accordance with the orders of Government issued from time to time.Note - The orders in force at the time of the commencement to these rules are given in Appendix 'B'.(6)Paid Apprentices - By direct recruitment in accordance with the Subordinate Offices Ministerial Staff (Direct Recruitment) Rules, 1975.(7)Selection Grade Stenographer - By promotion from amongst Senior Grade Stenographers.(8)Senior Grade Stenographers - By promotion from amongst Junior Grade Stenographers.(9)Junior Grade Stenographers - By direct recruitment in accordance with the provisions of rule 15 of these rules.

6. Reservation for Scheduled Castes, etc.

- Reservation for candidates belonging to Scheduled Castes, Scheduled Tribes and other categories shall be made in accordance with the orders of the Government in force at the time of recruitment.Note - A copy of the orders at present in force will be found in Appendix 'C'.

Part IV – Qualification

7. Nationality.

- A candidate for 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 (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 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 further that if a candidate belongs to category (c) above, no certificate of eligibility will be for a period of more than one year and such a candidate can be retained in service after a period of one year only if he has acquired 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 subsequently.

8. Age.

- A candidate for direct recruitment to any post in the service must have attained the age of 18years and must not have attained the age of more than 27 years on the first day of January of the posts or applications are invited during the period January 1 to June 30 and on July 1 if the applications are invited during the period July 1 to December 31:Provided that the upper age limit shall-(i)in the case

of persons already in Government service be greater by five years;(ii)in the case of candidates belonging to Scheduled Castes, Scheduled Tribes and such other categories as may be notified by Government from time to time be greater by such number of years as may be specified.Note. - Copies of Government orders regarding relaxation of age are given in Appendix 'D'.

9. Academic qualification.

(1)A candidate for direct recruitment to the post must -(a)have passed the intermediate Examination of the Board of High School and Intermediate Education or an examination declared equivalent thereto;(b)possess minimum speed of 30 words per minute in Hindi typewriting.(2)A candidate for the post of Junior Grade stenographer must also possess minimum speed of 80 words per minute in Hindi Shorthand(3)Preference in recruitment to the post of Junior Grade Stenographer will be given to those who possess knowledge of English Shorthand and typewriting.

10. Character.

- The character of a candidate for direct recruitment to the service must be such as to render him suitable in all respects for employment in Government service. The appointing authority shall satisfy himself on this point.Note - Persons dismissed by the Union or a State Government or by a Local Authority or by a Body, Corporation of Undertaking, owned or controlled by the Union Government or a State Government shall be ineligible for appointment to the service. Persons convicted of an offence involving moral turpitude shall also be ineligible.

11. Marital Status.

- No male candidate who has more than one wife living and no female candidate who has married a man already having a wife living shall be eligible for recruitment to the service.Provided that the Governor may, if satisfied, that there are special grounds for doing so, exempt a candidate from the operation of this rule.

12. Physical fitness.

- No person shall be appointed as a member of 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 as a member of the service. Before a candidate, selected by direct recruitment, is finally approved for appointment to the service, he shall be required to submit fitness certificate in accordance with Chapter 3 of the Financial Handbook, Volume II, Parts II to IV unless he is already holding a permanent post under the Government.

Part V – Procedure for Recruitment

13. Determination of vacancies.

- The appointing authority shall determine the number of vacancies to be filled during the course of the year and also the number of vacancies to be reserved for the candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories in accordance with Rule 6.

14. Procedure for direct recruitment to the post of Junior Clerks/Routine Grade Clerks/Typist/Paid Apprentice.

- Subject to the provision of Rule 5 recruitment to the posts of Junior Clerks including routine Clerks and Typists, and Paid Apprentices, shall be made through District Selection Committee in accordance with the provisions contained in Subordinate Offices Ministerial Staff (Direct Recruitment) Rules, 1975. The Committee shall send the list of selected candidates to the Appointing Authority.

15. Procedure for direct recruitment to the post of Junior Grade Stenographer.

(1)The Appointing Authority shall intimate the number of vacancies, to be filled directly, of Junior Grade Stenographers to and invite applications through the Employment Exchange from candidates fulfilling the requisite qualifications. The Appointing Authority may also entertain applications from departmental candidates, if any, who fulfil the requisite qualifications.(2)For the purpose of direct recruitment to the post of Junior Grade Stenographers there shall be constituted a Selection Committee comprising -(i)the Appointing Authority or an officer, not below the rank of Deputy Registrar, Co-operative Societies, Uttar Pradesh, nominated by him;(ii)two Deputy Registrars, Co-operative Societies, nominated by the Appointing Authority.(3)The Selection Committee, referred to in sub-rule(2), shall hold a competitive test, prescribed under these rules, to test their suitability for the post applied for. The examination shall comprise of written test as well as viva voce.Note - The procedure and syllabus for the competitive test is given in Appendix 'E'.(4)After and marks obtained by the candidates in the written test have been tabulated, the Selection Committee shall, having regard to the need for securing due representation of the candidate belonging to 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 at the interview shall be added to the marks obtained by him in the written test.(5)The Selection Committee shall prepare a list of the candidates in order of merit, as disclosed by the aggregate of marks obtained by them. If two or more candidates obtaining higher marks, the candidate obtaining higher marks in the written test 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 the vacancies. The Selection Committee shall forward the list to the Appointing Authority.

16. Recruitment by promotion.

(1) Recruitment by promotion shall be made on the basis of seniority subject to rejection of unfit through a Selection Committee constituted under Rule 15. (2) The Appointing Authority shall prepare a list of eligible candidates in order of seniority and forward it to the Selection Committee along with the character rolls of the candidates and such other records, pertaining to them, as may be considered relevant. (3) The Selection Committee shall consider the cases of candidates on the basis of records, referred to in sub-rule (2), and, if it considers necessary, it may also interview 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

17. Appointment.

(1) On the occurrence of substantive vacancies, the Appointing Authority shall make appointments to various posts in the service, by taking candidates in the order in which they stand in the list prepared under Rule 14, 15 or 16 as the case may be. (2) The Appointing Authority may make appointments in temporary and officiating vacancies also from the lists referred to in sub-rule (1) above. If no candidate borne on these lists is available, he may make appointments in such vacancies from persons eligible under these rules till regular selection is made.

18. Probation.

(1) All persons on appointment in or against a substantive vacancy shall be placed on probation for two years. (2) Service rendered in an officiating or temporary capacity on equivalent or higher post may be taken into account in computing the period of probation. (3) The Appointing Authority may, for reasons to be recorded, extend the period of probation up to a specified date. (4) If it appears 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 if he 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 such post, his services may be dispensed with, without entitling him to any compensation.

19. Confirmation.

- A probationer may be confirmed in his appointment at the end of the period of probation or extended period of probation if his work and conduct is reported to be satisfactory and the appointing authority is satisfied that he is otherwise fit for confirmation.

20. Seniority.

(1) A separate gradation list shall be maintained for each category of posts in the service. (2) Seniority of persons appointed in any category of posts shall be determined from the date of substantive

appointment and if two or more candidates are appointed on the same date, according to the order in which their names are arranged in the appointment order: Provided that -(i) the inter se seniority of the persons directly appointed shall be the same as determined at the time of selection, (ii) the inter se seniority of persons appointed by promotion shall be the same as it was in the substantive post held by them at the time of promotion.

Part VII – Pay

21. Scale of pay.

(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 all the time of commencement of these rules are given in Appendix 'F'.

22. 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, shall draw, during the period of probation increments on the conditions that his work is reported to be satisfactory: Provided that if the period of probation is extended on account of failure to give satisfaction, the extended period shall not count for increment unless the appointing authority directs otherwise. (2) The pay during probation of person already in the permanent service of the Government, shall be regulated by the relevant rules, referred to in Rule 25.

23. Criteria for crossing the efficiency bars.

- No person shall be allowed to cross-(1) the first efficiency bar unless his work and conduct are found to be satisfactory and unless his integrity is certified, and (2) the second efficiency bar unless he is found to have worked steadily and to the best of his ability, his work and conduct is found to be satisfactory and unless his integrity is certified and, in the case of persons other than Stenographers, has acquired adequate knowledge of office regulations and procedure.

Part VIII – Other Provisions

24. Canvassing.

- No recommendations, either written or oral, other than those required under these rules, 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.

25. 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.

26. Relaxation from 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 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.