

# **Irrigation Department, Uttaranchal Service of Scientific Cadre (Group 'A', 'B' and 'C') Rules, 2003**

UTTARAKHAND

India

## **Irrigation Department, Uttaranchal Service of Scientific Cadre (Group 'A', 'B' and 'C') Rules, 2003**

### **Rule**

### **IRRIGATION-DEPARTMENT-UTTARANCHAL-SERVICE-OF-SCIENTIFIC of 2003**

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Irrigation Department, Uttaranchal Service of Scientific Cadre (Group 'A', 'B' and 'C') Rules, 2003Published vide Notification No. 262/9-1-Sin/2003, dated 17th October, 2003In exercise of the powers conferred by the provision 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 to persons appointed to the Irrigation Department Uttaranchal Service of Scientific Cadre :

## **Part I – General**

### **1. Short title, commencement.**

(1)These rules may be called the Irrigation Department, Uttaranchal Service of Scientific Cadre (Group 'A', 'B' and 'C') Rules, 2003.(2)They shall come into force with immediate effect.

### **2. Status of the Service.**

- The Irrigation Department Uttaranchal Service of Scientific Cadre is a State Service, comprising Group "A", "B" and "C" posts.

### **3. Definitions.**

- In these rules, unless there is anything repugnant in the subject or context, -(a)"Appointing Authority" means an officer duly authorised by the Competent Authority to make such an appointment; (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)"Commission" means the Uttaranchal Public Service Commission; (d)"Committee" means such a Selection Committee formed by the Competent Authority; (e)"Constitution" means the Constitution of India; (f)"Government" means the State Government of Uttaranchal; (g)"Governor" means the Governor of Uttaranchal; (h)"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 respective cadre of the Service; (i)"Service" means the Uttaranchal Service of Scientific Cadre in a State Service comprising group "A", "B" and "C" posts of Irrigation Department; (j)"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 (k)"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 the Service.**

- The strength of the Service in each cadre and number of posts of various categories therein shall be such as specified in Appendix "A" or may be determined by the Government from time to time :Provided that the Governor may leave unfilled or may hold in abeyance any vacant post, without thereby entitling any person to compensation.

## **Part III – Recruitment**

### **5. Source of recruitment.**

- The recruitment to the post of the Service shall be made from the following sources :A. Model Assistant. - Direct recruitment through a Selection Committee by inviting applications from such candidates whose names are enrolled in various offices of employment exchange in Uttaranchal and having the Academic Qualifications as specified in Rule 8.B. Scientific Assistant. - (One) Recruitment to 30% posts of the Service shall be made directly through a Selection Committee by inviting applications from such candidates whose names are enrolled in various offices of Employment Exchange in Uttaranchal and having the Academic Qualifications as specified in Rule 8.(Two) Recruitment to 70% posts of the Service shall be made by promotion from amongst, subject to reject unfit, such Model Assistants who have completed the continuous Service of 5 years on the first July of the year of recruitment.C. Research Supervisor. - Recruitment to the post of Research Supervisor shall be made by promotion from amongst, subject to reject unfit, such Scientific Assistants who have completed the continuous service of 5 years on the first July of the year of

recruitment.D. Assistant Research Officer. - (1) Recruitment to 25% posts of Assistant Research Officer shall be made by transfer of Assistant Engineers working in the department.(2)Recruitment to 75% posts of Assistant Research Officer shall be made by promotion from amongst, subject to rejection of unfit, such Research supervisors who have completed the continuous Service of 7 years on the first July of the year of recruitment.E. Research Officer. - (1) Recruitment to 50% posts of Research Officer shall be made by transfer of Executive Engineers working in the department.(2)Recruitment to 50% posts of Research Officer shall be made by promotion from amongst, subject to rejection of unfit, such Assistant Research Officers who have completed the continuous Service of 7 years on the first July of the year of 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 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, Burma, Sri Lanka or any or 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, Uttaranchal:Provided also that if a candidate belongs to category (c) above, no certificate of eligibility will be issued for a period or 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 provisionally appointed, subject to the necessary certificate being obtained by him or issued in his favour.

### **8. Academic qualifications.**

(1)A candidate for direct recruitment to the post of Model Assistant must possess Academic qualifications of (10 + 2) passed or equivalent from a recognized institution in Mathematics with Physics or Chemistry.(2)A candidate for direct recruitment to the post of Scientific Assistant must possess academic qualification of Bachelor's Degree or equivalent from a recognized institution in Mathematics with Physics or Chemistry.

## **9. Preferential qualifications.**

- A candidate who has served in the Territorial Army for a minimum period of two years, or 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 for the post of Model Assistant and 21 years for the post of Scientific Assistant and must not have attained the age of more than 35 years on the first day of July of the calendar year :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 :Provided that in no case the upper age limit shall be more than 45 years.

## **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. It shall be the duty of the Appointing Authority to satisfy himself about the character of the candidate. Note. - Persons 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 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 for the rule.

## **13. Physical fitness.**

- No candidate shall be appointed to a post in the Service unless he is in good mental and physical 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 submit fitness certificate of Chief Medical Officer of the District under Principal Rule 10 of the Financial Hand Book, Volume II, Part 2 to 4 :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 and inform the Commission 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.

### **15. Procedure for direct recruitment.**

(1) In order to fill in the vacancies of, as the case may be, Model Assistant/Scientific Assistant under the Service, the Appointing Authority shall constitute a Committee as follows :

(A) Superintending Engineer (Personnel) ... Chairman

(B) Superintending Engineer (I.R.I., Roorkee) ... Member

(C) Research Officer ... Member

If any of the above does not belong to Scheduled Caste/Tribe, then the Appointing Authority shall nominate a member of such community, who is not below by one rank. (2) For direct recruitment the Chairman of the Committee shall invite the applications, by publishing the advertisement in the newspapers, from such candidates whose names are enrolled in the office of District Employment Exchange of Uttaranchal. (3) The Committee shall scrutinise these applications and call the candidates for interview who fulfil the required qualifications. (4) The Committee shall prepare a list in the order of merit according to the marks obtained by the candidates in interview. In case of two or more candidates obtaining equal marks in total, the name of the candidate shall be kept at higher merit in the list according to their general suitability for the number of candidates in the merit list shall be excess but not more than 25% of the vacancies. The list shall be forwarded to the Appointing Authority.

### **16. Procedure for recruitment by promotion.**

- (A) Scientific Assistant/ Research Supervisor - (1) In order to fill in the vacancies of, as the case may be, Model Assistant/Scientific Assistant under the Service, the Appointing Authority shall constitute a Committee as follows :

(A) Chief Engineer of concerned to the Establishment ... Chairman

(B) Superintending Engineer (I.R.I. Roorkee) ... Member

(C) Superintending Engineer (Personnel) ... Member

If any of the above does not belong to Scheduled Caste/Tribe, then the Appointing Authority shall nominate a member of such community, who is not below by one rank. (2) The Appointing Authority shall prepare a list according to the seniority of the candidates and submit it, along with the character rolls and such other documents which are considered necessary, to the Selection Committee for considering the promotion. (3) The Committee shall consider the names according to

the documents submitted under sub-rule (2) and shall select the candidates on the basis of merit, subject to rejection of unfit.(4)The Committee shall prepare a list of the selected candidates in accordance with the seniority and submit to the Appointing Authority.(5)Appointing Authority shall, as the case may be, recruit the candidate from the list prepared in sub-rule (4), to the vacant post.(B)Assistant Research Officer/Research Officer. - As the case may be, the recruitment by promotion to the posts of this Service, shall be made on the basis of seniority, subject to rejection of unfit, in accordance with consultation to Uttaranchal Public Service Commission for Promotion by Selection (Procedure) Uttar Pradesh Service Rules, 1970, as amended from time to time.

## **17. Combined Select List.**

- If in any year of recruitment appointments are made both by direct recruitment and by promotion, a combined 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. The persons promoted from the feeding cadre having higher pay scale shall be senior to the persons promoted from feeding cadre having lower pay scale.

## **Part VI – Appointment, Probation, Confirmation and Seniority**

### **18. Appointment.**

- On the availability of vacancies for substantive post the Appointing Authority shall appoint the candidates in the following manner :(1)The Appointing Authority shall make the appointment of the candidates in the same order as their names appear in the list prepared, as the case may be, under Rule 15, 16 or 17, subject to conditions of sub-rule (2). The recruitments to the posts of Assistant Research Officer/Research Officer shall be published in Government Gazette;(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 above; and(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 it stood in the cadre from which they are promoted, as the case may be. If the appointments are made both by direct recruitment and by promotion, names shall be arranged in accordance with the cyclic order referred to in Rule 17 above.

### **19. Probation.**

(1)A person substantively appointed to a post in the Service shall be placed on probation for a period of one year.(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, 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 not given satisfaction, he may be reverted to substantive post, if any, and if he is not holding a lien on any post, his services may be dispensed with.(4)A probationer, who is removed or whose Service are dispensed with under sub-rule (3) above, shall not be entitled to any compensation.(5)The Appointing Authority may allow to include the period of continuous officiating or temporary Service on any post of the cadre or equivalent or higher post of calculating the probation period.

## **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 is 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.**

- The seniority of persons substantively appointed in any category of posts shall be determined in accordance with the Uttaranchal Government Servant Seniority Rules, 2002, as amended from time to time.

## **Part VII – Pay etc.**

### **22. Scales of pay.**

(1)The scales of pay admissible to a person appointed to a post in the cadre of the Service, shall be such as may be determined by the Government from time to time.(2)The scales of pay prevailing at the beginning of these rules are shown in Appendix "A".

### **23. Pay during probation.**

- Notwithstanding any provision in the 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 after he has completed one year of satisfactory Service.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.

## **Part VIII – Other Provisions**

### **24. 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.

## **25. 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.

## **26. Relaxation from the conditions of Service.**

- Where the State Government is satisfied that the operation of any rule, regulating the condition of Service of persons appointed to the Service that causes undue hardship in any particular case, it may in consultation with Commissions notwithstanding anything contained in the rules applicable to the case, by order dispensed with or relax. The requirement of that rule to such extent and subject to such conditions as it may consider necessary dealing with the case in a just and equitable manner: Provided that where a rule has been framed in consultation with the Commission that Commission shall be consulted before the requirement of the rules are dispensed with or relaxed.

## **27. Savings.**

- Nothing in these rules shall affect reservation 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 A [See Part-II, Rule 4 and Part VII, Rule 22]

Sl. No.	Name of Post	Pay scale	No. of Posts
1	2	3	4
1.	Model Assistant	3,050-4,590	
2.	Scientific Assistant	4,500-7,000	
3.	Research Supervisor	5,000-8,000	
4.	Assistant Research Officer	8,000-13,500	
5.	Research Officer	10,000-15,200	