

# **The U.P. Election Directorate Officers Service Rules, 1992**

UTTAR PRADESH

India

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### **Rule**

### **THE-U-P-ELECTION-DIRECTORATE-OFFICERS-SERVICE-RULES-1992 of 1992**

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The U.P. Election Directorate Officers Service Rules, 1992Published vide Notification No. 3366/17-A-242-1-1-91, dated the 30th June, 1992

## **Part I – General**

### **1. Short title and Commencement.**

(1)These Rules may be called "The Uttar Pradesh Election Directorate Officers Service Rules, 1992".(2)They shall come into force at once.

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

- The Uttar Pradesh Election Directorate Officer Service comprises Group "A" and "B" posts.

### **3. Definitions.**

- In these rules unless there is anything repugnant in the subject or context-(a)"Appointing authority" means the Secretary to the Government in Election Department;(b)"Commission" means the Uttar Public Service Commission;(c)"Constitution" means the Constitution of India;(d)"Government" means the State Government of Uttar Pradesh;(e)"Governor" means the Governor of Uttar Pradesh;(f)"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 cadre of the service;(g)"Service" means the Uttar Pradesh Election Directorate Officers

Service;(h)"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 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 under :

Name of post	Permanent	Temporary	Total
Section Officer	1	3	4
Assistant Chief Electoral Officer	..	1	1

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, or(2)the Governor may create such additional, permanent or temporary posts, from time to time, as he may consider proper.

## **Part III – Recruitment**

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

- Recruitment to the various categories of posts in service shall be made from the following sources :  
(1)Section Officer. - By promotion from amongst substantively appointed as Upper Division Assistants who have completed ten years service as such on the first day of the year of recruitment.  
(2)Assistant Chief Electoral Officer. - By promotion from amongst substantively appointed section officers who have completed five years service as such on the first day of the year of recruitment.

### **6. Reservation.**

- Reservation for candidates 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 – Procedure of Recruitment**

### **7. Determination of vacancies.**

- The appointing authority shall determine and intimate to the Commission the number of vacancies to be filled during the year of the recruitment as also the number of vacancies to be reserved for candidates belonging to Scheduled Castes, Scheduled Tribes and other categories under Rule 6.

### **8. Procedure for recruitment by promotion to the post of Section Officer.**

- Recruitment by promotion to the post of Section Officer 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 the Public Service Commission (Procedure) Rules, 1970, as amended from time to time.

### **9. Procedure for recruitment by promotion to the post of Assistant Chief Electoral Officer.**

(1) Recruitment by promotion to a post of Assistant Chief Electoral Officer shall be made on the basis of seniority subject to rejection of unfit through a Selection Committee constituted as follows :

- |   |               |
|---|---------------|
| (i) Appointing Authority  | ... Chairman. |
| (ii) Secretary to the Government in the Personnel Department or his nominee not below the rank of Joint Secretary | ... Member.   |
| (iii) Joint Chief Electoral Officer   | ... Member.   |

(2) The appointing authority shall prepare an eligibility list of the candidates in accordance with the Uttar Pradesh Promotion by Selection (on Posts outside the Purview of the Public Service Commission) Eligibility List Rules, 1986, and place it before the Selection Committee along with their character rolls and such other records pertaining to them as may be considered proper. (3) The Selection Committee shall consider the cases of candidates on the basis of the 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 as it stood in the cadre from which they are to be promoted and forward the same to the appointing authority.

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

### **10. Appointment.**

(1) The appointing authority shall make appointments by taking the names of the candidates in the order in which they stand in the list prepared under Rules 8 and 9 as the case may be. (2) If more than one order of appointment are issued in respect of any one selection, a combined order shall be issued mentioning the names of the persons in the order of seniority as determined in the selection

(1) A person on substantive appointment to a post or 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 up to 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 for 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. (4) A probationer who is reverted 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 of any other equivalent or higher post to be taken into account for the purpose of computing the period of probation.

- The order issued under sub-rule (3) of rule 5 of the Uttar Pradesh State Government Servants Confirmation Rules, 1991, declaring that the probationer has successfully completed the probation shall be deemed to be the order of confirmation.

- 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.

#### 14. Scale of pay.

(1)The scales of pay admissible to persons appointed to any category of posts, whether in 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 commencement of these rules are given as follows :

- |   |   |
|---|---|
| (i) Section Officer                     | Rs. 2,000-60-2,300-E.B.-75-3,200-100-3,500. |
| (ii) Assistant Chief Electoral Officer. | Rs. 3,000-100-3,500-125-4,500.              |

## **15. Criteria for crossing efficiency bar.**

- No person shall be allowed to cross efficiency bar unless-(i)his work and conduct are found to be satisfactory, and(ii)his integrity is certified.

## **Part VII – Other Provisions**

### **16. Canvassing.**

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

### **17. 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.

### **18. Relaxation from 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.

### **19. Savings.**

- Nothing in these rules shall effect 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.