

# **The U.P. Higher Education Services Commission (Group "C" And "D" Employees) Services Regulations, 2000**

UTTAR PRADESH

India

## **The U.P. Higher Education Services Commission (Group "C" And "D" Employees) Services Regulations, 2000**

### **Rule**

### **THE-U-P-HIGHER-EDUCATION-SERVICES-COMMISSION-GROUP-C-AND-D-EMPLOYEES-SERVICES-REGULATIONS-2000**

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The U.P. Higher Education Services Commission (Group "C" And "D" Employees) Services Regulations, 2000 Published Vide Notification No. 291/2000-2001, dated 29.6.2000, published in the U.P. Gazette Extraordinary, Part 4, Section (Ka), dated 29.6.2000. In exercise of the powers under sub-section (2) of Section 9 of the Uttar Pradesh Higher Education Services Commission Act, 1980 (U.P. Act No. 16 of 1980), the Uttar Pradesh Higher Education Services Commission, with the previous approval of the State Government, makes the following regulations :

## **Part I – General**

### **1. Short title, extent and commencement. -**

(i) These regulations may be called the Uttar Pradesh Higher Education Services Commission (Group "C" and "D" Employees) Services Regulations, 2000. (ii) They shall come into force at once.

### **2. Status of the services. -**

They shall be applicable to the employees of Group "C" and "D" of the Commission excepting those working on deputation.

### **3. Definitions. -**

In these regulations, unless there is anything repugnant in the subject or context : (i) "Act" means the Uttar Pradesh Higher Education Services Commission Act, 1980. (ii) "Appointing Authority" means the Commission and includes the Chairman or any other officer of the Commission of the powers are delegated to him by the Commission. (iii) "Chairman" means the Chairman of the Uttar Pradesh Higher Education Service Commission. (iv) "Citizen of India" means a person who is or is deemed to be a citizen of India under Part-II of the Constitution of India. (v) "Government" means the Government of Uttar Pradesh. (vi) "Member of the Service" means a person appointed in a substantive capacity under these regulations or orders in force prior to the commencement of these regulations to a post in the cadre of the services. (vii) "service" means the service governed by the Uttar Pradesh Higher Education Service Commission (Group "C and "D" Employees) Services Regulations, 2000. (viii) "Year of Recruitment" means a period of twelve of months commencing from the first day of July of Calendar year. (ix) "Other Backward Classes" means the other Backward Classes of citizens specified in Schedule 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) Words and expressions not defined in these regulations but used in the Act, shall have the meaning assigned to them in the Act.

## **Part II – Cadre And Strength**

### **4. Strength of Service. -**

(1) The strength of the services and the number of posts in each category therein shall be such as may be determined by Government from time to time. (2) The strength of the service and the number of posts in each category therein shall unless orders varying the same are passed under sub-regulation (1) be as given in Schedule I : Provided that - (i) The appointing authority may leave unfilled or may hold in abeyance any vacant post, without thereby entitling any person to compensation. (ii) The Government may create such additional temporary or permanent post as it may consider necessary. (iii) The Commission shall have no power to create any post or posts without prior sanction of the Government.

## **Part III – Recruitment**

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

Recruitment to the various categories of posts in the Service shall be made from the following sources, namely - (1) The posts mentioned in Schedule II shall be filled in by promotion from the posts specified against each, in the manner laid down in regulation 17. (2) The posts mentioned in Schedule III shall be filled in by direct recruitment in the manner laid down in regulation 15 : Provided that mere existence of a vacancy shall not confer any right for promotion.

## **6. Reservation. -**

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

## **7. Nationality. -**

A candidate for direct recruitment to a post in the services must be -(a)a citizen of India; or(b)a Tibetan refugee who came over to India before the 1st of 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 obtain a certificate of eligibility granted by the 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. Age limit. -**

A candidate for direct recruitment to a post under these regulations must have attained the minimum age of 18 years and must not have attained the age of more than 32 years on the first day of July of the Calendar year in which the vacancies are advertised by the Commission :Provided that -(i)the upper age limit in the case of candidates belonging to 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;(ii)the Government may, by a general or special order relax the maximum age-limit prescribed in this regulation in favour of any candidate or class of candidates, if it considers it necessary in the interest of fair dealing or in public interest.

## **9. Character. -**

(1)The character of a candidate for direct recruitment to a post in the service must be such as to render him suitable in all respect for employment in the Service. The appointing authority shall satisfy itself on this point.Note. - Persons dismissed by the Union Government or a State Government or a Local Authority or a Corporation or a Body owned or controlled by the Union Government or a State Government or by Local Authority, shall be deemed to be ineligible for appointment to any post under these regulations. Persons convicted of an offence involving moral

turpitude shall also be ineligible.(2)Every candidate for recruitment shall be required to submit certificate of character from the Principal/Head of the institution last attended and from two Gazetted Officers (not related to the candidate) in active service of the State or Union Government who are well acquainted with his private life but unconnected with his school, College or university.

## **10. Educational qualifications. -**

A candidate for direct recruitment to the various posts in the service must possess such qualification as are specified in Schedule III.

## **11. Preferential qualifications. -**

A candidate who has -(1)served in the Territorial army for a minimum period of two years; or(2)obtained a 'B' certificate of National Cadet Corps, shall other things being equal, be given preference in the matter of direct recruitment.

## **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 regulation.

## **13. Physical fitness. -**

(1)No candidate shall be appointed to a post in 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, 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, Parts II to IV.(2)Nothing in sub-rule (1) shall apply to such candidates who are recruited by promotion.

# **Part IV – Manner Of Recruitment**

## **14. Determination of vacancies. -**

The appointing authority shall determine and notify the number of vacancies to be filled in by direct recruitment during the course of the year of recruitment as also the number of vacancies to be reserved for candidates belonging to Scheduled Castes, Scheduled Tribes and other categories under regulation 6. In case the Chairman of the Selection Committee is an officer other than the appointing authority, the appointing authority shall intimate the vacancies to the Chairman of the Selection Committee.

## 15. (A) Procedure for direct recruitment. -

(1) For making direct recruitment for group 'C' posts (except drivers) the vacancies shall be notified in the following manner : (i) by issuing advertisement in daily newspapers having wide circulation; (ii) by pasting the notice on the notice board of the office or advertising through Radio/Television and other Employment newspaper, and (iii) by notifying vacancies to the Employment Exchange. (2) Application for being considered for selection shall be called in the form published in the advertisement issued under sub-rule (1). (3) The merit list of the candidates shall be prepared in the following manner : (a) (i) There shall be an objective type written examination of forty per cent marks consisting of a single question paper which will include General Hindi, General Knowledge and General Studies. In the case of candidates to be selected for any post for which typewriting or shorthand and typewriting has been prescribed as an essential qualification, the written test shall be of twenty per cent marks only. (ii) The question paper-cum-answer sheet (in duplicate) shall be provided to the candidates, when the examination is over the candidates shall be allowed to carry back the carbon copy of the answer-sheet along with them. (b) Thirty per cent of the total marks obtained at the minimum qualifying examination prescribed for the post shall be given to each candidate. (c) Marks to a retrenched employee shall be awarded in the following manner subject to the maximum of 15 per cent marks :

- (i) For the first completed year of service 5 marks
- (ii) For the next and every completed year of service 5 marks for each year
- (d) Marks to a sportsman shall be awarded in the following manner subject to the maximum of 5 per cent marks :

- (i) If the candidate is a sportsman of International level 5 per cent marks
- (ii) If the candidate is a sportsman of National level 4 per cent marks
- (iii) If the candidate is a sportsman of State level 3 per cent marks
- (iv) If the candidate is a sportsman of University/College/School level 2 per cent marks

(e) In the case of candidates to be selected for any post for which typewriting or shorthand and typewriting has been prescribed as an essential qualification, there shall be a test of Hindi typewriting or Hindi shorthand and typewriting, as the case may be, of twenty per cent marks only. (4) (a) After the results of the written examination and other evaluations under clauses (a), (b), (c), (d) and (e) of sub-rule (3) have been received and tabulated, the Selection Committee shall, having regard to the provisions of reservation referred to in Rule 4, hold an interview of candidates. The number of candidates to be called for interview shall be four times the number of the vacancies. (b) The interview shall carry ten per cent marks. Marks at the interview shall be awarded by the Chairman and all other members separately in the following manner :

- (i) Subject/General Knowledge upto four per cent marks.
- (ii) Personality Assessment upto three per cent marks.
- (iii) Power of Expression upto three per cent marks.

Note. - The total marks obtained by a candidate at the interview shall be determined by calculating the average of marks awarded to him by the Chairman and all the Members of the Selection Committee separately. (c) The Chairman and Members of the Selection Committee shall, in no case,

be provided any information with regard to marks obtained by candidates under clauses (a), (b), (c), (d) and (e) of sub-rule (3) at the time of interview.(5)The marks obtained by each candidate at the interview under sub-rule (4) shall be added to the marks obtained under sub-rule (3). The final select list shall be prepared on the basis of aggregate of marks so arrived. If two or more candidates obtain equal marks in aggregate, the candidate obtaining higher marks in the written examination shall be placed higher in the select list. In case two or more candidates obtain equal marks in the written examination also, the candidate senior in age shall be placed higher in the select list. The number of the names in the list shall be larger (but not larger by more than twenty five per cent) than the number of vacancies.(6)The select list referred to in sub-rule (5) shall be forwarded to the appointing authority.

## **15. (B) Procedure for Direct Recruitment of Driver and Group "D" Posts. -**

The procedure for Direct Recruitment of Driver and Group D Post shall be the same as for Drivers and Group D Posts in Government Service.

## **16. Selection Committee. -**

For the purpose of direct recruitment and promotion for both the Group 'C' and Group 'D' there shall be constituted a Selection Committee comprising of -

### **(i) For Group 'C'**

- |   |           |
|---|-----------|
| (a) Secretary of the Commission   | -Chairman |
| (b) Dy. Secretary   | -Member   |
| (c) Accounts Officer  | -Member   |
| (d) An officer belonging to the Scheduled Castes or Scheduled Tribes, nominated by the Chairman if none of the Chairman and other-member belong to Scheduled Castes or Scheduled Tribes. If any of them belongs to the Scheduled Castes or Scheduled Tribes an officer other than belonging to the Scheduled Castes or Scheduled Tribes or other Backward Classes shall be nominated by the Chairman. | -Member   |
| (e) An officer belonging to the other Backward Classes, shall be nominated by the Chairman if none of the Chairman and other members belong to the other Backward Classes. If any of them belongs to the other Backward Classes, an officer other than other Backward Classes or Scheduled Castes or Scheduled Tribes shall be nominated by the Chairman.   | -Member   |

### **(ii) For Group 'D'**

- |  |           |
|--|-----------|
| (a) Secretary of the Commission  | -Chairman |
| (b) Accounts Officer   | -Member   |
| (c) An officer belonging to the Scheduled Castes or Scheduled Tribes, nominated by the Chairman if none of the Chairman and members belong to Scheduled Castes or Scheduled Tribes. If any of them belongs to the Scheduled Castes or Scheduled Tribes an officer other than belonging to the Scheduled Castes or Scheduled Tribes | -Member   |

or other Backward Classes shall be nominated by the Chairman.

(d) An officer belonging to the other Backward Classes, shall be nominated by the Chairman if none of the Chairman and other members belong to the other Backward Classes. If any of them belongs to the other Backward Classes, an officer -Member other than other Backward Classes or Scheduled Castes or Scheduled Tribes shall be nominated by the Chairman.

## **17. Recruitment by Promotion. -**

(1) Recruitment by promotion shall be made on the basis of seniority subject to the rejection of unfit from the lists of all eligible employees holding the posts as mentioned in column 3 of Schedule II and a list of employees fit for promotion shall be prepared, in the manner laid down in the Regulation 17(2) by the Selection Committee constituted in accordance with the provisions of sub-regulation (1) of Regulation 16 when a vacancy or vacancies to be filled in by promotion occur or are likely to occur. (2) Eligibility list. - Except as otherwise provided, the appointing authority shall prepare a list to be called the eligibility list of senior-most eligible candidates in each category of post containing names, so far as may be, in the following proportion : (a) For 1 to 5 vacancies - Twice the number of vacancies likely to occur subject to a minimum of 5; (b) For over 5 vacancies - One and half times the number of vacancies likely to occur subject to minimum of 10 : Provided that if recruitment is to be made for vacancies occurring during more than one year, a separate eligibility list will be prepared in respect of each year. In such a case while preparing the eligibility list for the second and subsequent years, the number of candidates to be included in the eligibility list shall be - (a) for the second year the said proportion plus the number of vacancies in the first and second years; (b) for the third year the number according to the said proportion plus the number of vacancies or the first and second years; Provided further that candidates who are not considered suitable for promotion shall not be taken into account in calculating the said proportion and a note to the effect that they are not so considered shall be added against their names. Explanation. - In this sub-regulation "the number of vacancies" means the total number of substantive or temporary vacancies occurring during a year.

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

### **18. 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 Regulation 15. (2) If more than one order 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.

### **19. Probation. -**

(1) A person on 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 circumstances beyond two years.(3)If it appears to be appointing authority at any time during 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 failed to give satisfaction, he may be reverted to his substantive posts, 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 depended with under sub-regulation (3) shall not be entitled to any compensation.(5)The appointing authority may allow continuous service rendered in an officiating of 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.(6)During the period of probation, the candidates appointed to the posts in the cadre may be required to undergo such training courses, if any, as may be prescribed.

## **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)he has successfully undergone the prescribed training, if any,(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 to a post in the service shall be determined in accordance with the Uttar Pradesh Government Servant Seniority Rules, 1991 as amended from time to time.

## **Part VI – Pay, Etc.**

## **22. Scale of Pay. -**

(1)The scales of pay admissible to the persons appointed to various categories of posts in the service shall be such as may be determined by the Commission, from time to time, with prior approval of Government.(2)The scales of pay of the various posts at the time of the commencement of these regulations has been given in Schedule I.

## **23. 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 years' 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 be count for increment unless the appointing authority directs otherwise.(2)The pay during probation of person who was 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 permanent Government Service shall be regulated by the relevant rules applicable to Government servants serving in connection with the affairs of the State.

## **24. Leave, leave allowances, officiating pay, fee and honorarium. -**

(1)Except as otherwise provided in these regulations all matters relating to leave, and leave salary shall be regulated in the manner laid down in the leave rules applicable to the Government servants of like status and all amendments thereto together with all explanations and clarification issued, from time to time, shall mutatis mutandis, apply.(2)Grant of pay including officiating pay and additional pay, special pay, honorarium, compensatory allowances, subsistence allowances and the acceptance of fees shall be regulated on the same terms and conditions as are applicable to the Government servants of the same status under the U.R Financial Handbook, Volume II, Parts II to IV.(3)Except as expressly provided in these rules, the provisions of the U.P. Fundamental and Subsidiary Rules contained in the Financial Handbook, Volume II, Parts II to IV and travelling allowance rules contained in Financial Handbook, Volume III, shall mutatis mutandis, apply.Note. - The corresponding authorities competent to exercise powers under the said Financial Handbooks for purpose of these regulations shall be such as the Government may, by order, determine, from time to time.

## **25. Efficiency bar. -**

(1)No member of the service shall be allowed to cross the first efficiency bar unless his work and conduct is proved to be satisfactory and his integrity is certified.(2)No member of the service shall be allowed to cross second and subsequent efficiency bars unless he has given full satisfaction by his work, conduct, integrity and ability.

## **26. Disciplinary proceedings. -**

Subject to such modifications as the Government may make from time to time, the rules regarding disciplinary proceedings, appeal and representations against punishments, as are applicable to the Government servants, shall apply to the employees of the Service.Note. - If the provisions regarding any of the service matters of the employees is not mentioned in these regulations, it shall be governed as mentioned in Financial Handbook, Vols. II to IV and Vol. V.

# **Part VII – Other Provisions**

## **27. Canvassing. -**

No recommendations, either written or oral, other than those required under these regulations shall be taken into consideration. Any attempt on the part of a candidate to enlist support directly or

indirectly for his candidature by other means shall disqualify him for appointment.

## **28. Regulation of other matters. -**

(1) If any dispute of difficulty, arises regarding interpretation of any of the provision of these regulations the same shall be referred to the Government Whose decision shall be final. (2) In regard to the matters not covered by these or by special orders, the members of service shall be governed by the rules, regulations and orders applicable generally to U.P. Government servants serving in connection with the affairs of the State. (3) Matters not covered by sub-regulations (1) and (2) above shall be governed by such order as the Government may deem proper to issue.

## **29. Relaxation from the conditions of service. -**

Where the Government is satisfied that the operation of any regulation regulating the conditions of service of the member of service causes undue hardship in any particular case. It may, notwithstanding anything contained in the regulation applicable to the case by order, dispense with or relax the requirements of that regulation to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner.

## **30. Savings. -**

Nothing in these regulations shall affect reservations and other concessions required to be provided for the candidates belonging to the Scheduled Castes, Schedule Tribes and other categories of persons in accordance with the orders of the Government issued, from time to time, in this regard.

## **Part VIII – Retirement And Benefits, G.P.F., Etc.**

### **31.**

The retirement provisions as provided in Financial Handbook, Vol. II, Parts II to IV, shall mutatis mutandis be applicable to the employees of the Commission.

### **32.**

The rules for the time being enforced in respect to the General Provident Fund to the employees of the State Government. The General Provident Funds (Uttar Pradesh) Rules, 1985 shall apply mutatis mutandis to the employees of the Commission.

I

Sl.No. Name of Post	Number of Post	Scale of Pay
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1	Office Superintendent Gr. - I	1	5,500-175-9,000
2	Office Superintendent Gr. - II	1	5,000-150-8,000
3	Private Secretary to Chairman	1	5,000-175-9,000
4	Senior Assistant	4	4,500-125-7,000
5	Senior Clerk	2	4,000-100-6,000
6	Stenographer	7	4,500-125-7,000
7	Junior Clerk	6	3,050-75-3,950-80-4,590
8	Typist	2	3,050-75-3,950-80-4,590
9	Driver	1	3,050-75-3,950-80-4,590
10	Daftari	1	2,610-60-3,150-65-3,540
11	Jamadar/Ardali	1	2,610-60-3,150-65-3,540
12	Peon(Peon-2. Ardali-6, Chaukidar-cum-Farrash-1).	9	2,550-55-2,600-60-3,200

## II

Posts to be filled in by promotion only

SI.No.	Name of the post to be filled in by promotion only	Promotion to be made from the post of	Minimum qualifying service required for promotion
1	Senior Clerk	Junior Clerk/ Typist	Must be permanent or have been substantively appointed on the Typist and must have served for a minimum period of five years on the above post on first of July of the recruitment year.
2	Senior Assistant	Senior Clerk	Must be permanent or have been substantively appointed on the post of senior clerk and must have served for a minimum period of five years on the above post on first of July of the recruitment year.
3	Office Superintendent Grade-II	Senior Assistant	Must be permanent or have been substantively appointed on the post of Senior Assistant and must have served for a minimum period of three years on the above post on first of July of the recruitment year.
4	Office Superintendent Grade-I	Office Superintendent Grade- II	Must be permanent or have been substantively appointed on the post of Office Supdt. Grade-II and must have served for a minimum period of three years on the above post on First of July of the recruitment year.
5	Private Secretary to	Stenographer	Must be permanent or have been substantively

	Chairman		appointed on the post of Stenographer and must have served for a minimum period of five years on the above post on first of July of the recruitment year.
6	Jamadar	Peon/Choukidar	Must be permanent or have been substantively appointed on the post of Peon/Choukidar and must have served for a minimum period of five years on the above post on first of July of the recruitment year.
7	Daftari	Peon/Choukidar	Must be permanent or have been substantively appointed on the post of Peon/Choukidar and must have served for a minimum period of three years on the above post on first of July of the recruitment year.

### III

SI.No.	Name of Posts	Qualification
1	2	3
GROUP-C		
1	Junior Clerk/Typist	Must have passed Intermediate examination of Uttar Pradesh Education board or any equivalent Examination. And Minimum speed of 25 words per minute in Hindi Typing.
2	Stenographer	Must have passed Intermediate examination of Uttar Pradesh Education Board or any equivalent examination. And Minimum speed of 80 words per minute in Hindi Shorthand and 30 words per minute in Hindi Typing.
3	Driver (Motor)	(a) Must possess a valid driving licence for a period of not less than five years preceding the date of notification of vacancies; (b) Have knowledge of office regulation/prescribed to the Motor Vehicles Act (c) Have passed Class VIII from recognised institution or an examination organised by the State Government as equivalent thereto.
4	Peon/Ardali/Choukidar	Must have passed class 8th examination from a recognised institution or an examination recognised by the State Government as equivalent thereto. He must also be well acquainted with cycling but this shall not apply to the female candidate.