

Subordinate Offices Ministerial Staff (Direct Recruitment) Rules, 1975

1. Short title and commencement.
2. Application of these rules.
3. Effect of inconsistency with other rules.
4. Definitions.
5. Recruitment in all the subordinate offices within a district to be common.
6. Constitution of selection committees.
7. Sources of recruitment.
8. Recruitment to be made every year.
9. Vacancies to be intimated to the district selection committee.
10. Vacancies to be recruited at regional level.
- 11.
12. Academic qualifications.
13. Relaxation for ex-Servicemen and certain other categories.
14. Basis of selection.
15. Notification of vacancies to the employment exchange.
16. Procedure of selection.
17. Fee.
18. Allotment of selected candidates.
19. Appointment by appointing authority.
20. Repeal and validation.
21. Ad hoc appointments.

The Subordinate Offices Ministerial Staff (Direct Recruitment) Rules, 1975

Published vide Notification No. 27/2/1974-Personnel, dated 29-7-75

1. **Short title and commencement.**- (1) These rules may be called the Subordinate Offices Ministerial Staff (Direct Recruitment) Rules, 1975.

(2) These rules come into force at once.

2. **Application of these rules.**- (1) These rules shall govern the recruitment to all the ministerial posts other than the posts of stenographer (which are required to be filled by direct recruitment and which are outside the purview of the Public Service Commission), in all the subordinate offices under the control of the Government, including the Secretariat but excluding the offices of the State Legislature, Public Service Commission, Uttar Pradesh, High Court and the Subordinate Courts under the control and Superintendence of the High Court.

(2) Recruitment against all the vacancies of ministerial posts to which these rules apply shall be made in accordance with the provisions of these rules.

3. Effect of inconsistency with other rules.- In the event of any inconsistency between these rules and any specific service rules -

(1) the provisions contained in these rules shall prevail to the extent of the inconsistency in case the specific rules were made prior to the commencement of these rules; and

(2) the provisions contained in the specific rules shall prevail in case they are made after the commencement of these rules.

4. Definitions.- In these rules unless the context otherwise inquires, -

(a) "appointing authority" in relation to a ministerial post in a subordinate office refers to the authority empowered under the relevant rules or orders to make appointments on that post;

(b) "Constitution" means the Constitution of India;

(c) "Governor" means the Governor of Uttar Pradesh;

(d) "Government" means the Government of Uttar Pradesh;

(e) "Head of Office" means the highest Gazetted Officer of an office;

(f) "High Court" means the High Court of Judicature at Allahabad, including its Bench at Lucknow;

(g) "Ministerial staff" shall refer to the clerical staff of the subordinate offices which is required to be appointed by direct recruitment;

(h) "subordinate offices" shall refer to all the offices under control of the Government including the Secretariat but excluding the offices of the State Legislature, Public Service Commission, Uttar Pradesh, High Court and the Subordinate Courts under the control and Superintendence of the High Court;

(i) "year of recruitment" means the period of twelve months commencing from the first days of July of a calendar year.

5. **Recruitment in all the subordinate offices within a district to be common.**- There shall be common recruitment of the ministerial staff in all the subordinate offices within a district, to be made in accordance with the procedure laid down in the succeeding rules.
6. **Constitution of selection committees.**- (1) There shall be a single Selection Committee to be constituted by the Government from time to time for purposes of recruitment to all the subordinate offices within a district:

Provided that the Government may, for any special reasons, constitute more than one Selection Committee in respect of a particular district for any one or more years.

(2) Selection Committees constituted by the Government at the commencement of these rules are as follows:

(a) <i>District Selection Committee for Allahabad</i>		
(1) Excise Commissioner,	}	<i>President.</i>
(2) Superintendent, Printing and Stationery		<i>Member.</i>
(3) Senior-most ADM,		
(4) One of the Heads of Offices (other than those specified) at (1) and (2) of the subordinate offices situate at Allahabad, by rotation (to be specified by the Government each year),		
(5) A district level officer of Scheduled Caste, nominated by the Government,		
(6) District Harijan and Social Welfare Officer,		
(7) Regional Employment Officer, Allahabad		<i>Member Secretary.</i>
(b) <i>District Selection Committee for Kanpur</i>		
(1) Commissioner and Director, Industries or Labour Commissioner, Kanpur for 1971, Commissioner and Director, Industries, in 1975, Labour		<i>President.</i>

Commissioner and so on, (by rotation).		
(2) Senior-most ADM	}	<i>Member.</i>
(3) One of the Heads of Offices (other than those specified) at (1) and (2) of the subordinate offices situate at Kanpur, by rotation (to be specified by the Government, each year).		
(4) A district level officer of Scheduled Caste, nominated by the Government,		
(5) District Harijan and Social Welfare Officer)		
(6) Regional Employment Officer, Kanpur		<i>Member Secretary.</i>
(c) <i>District Selection Committee for Lucknow</i>		
(1) Commissioner and Secretary, Administrative Reforms, Government of Uttar Pradesh, Lucknow.		<i>President.</i>
(2) One of the Heads of Departments' at Lucknow by rotation (to be specified by the Government each year), or a Class I Officer nominated by the concerned Head of Department,	}	<i>Members.</i>
(3) A Class I Officer of Scheduled Caste nominated by the Government,		
(4) District Harijan and Social Welfare Officer,		
(5) Regional Employment Officer, Lucknow.		<i>Member Secretary.</i>
(d) <i>District Selection Committee for districts other than Allahabad, Kanpur and Lucknow :</i>		
(1) District Magistrate or an Additional District Magistrate, nominated by the District Magistrate,		<i>President.</i>
(2) A Class I Officer of the District, nominated by the Divisional Commissioner,	}	<i>Member.</i>
(3) A Class I Officer of Scheduled Caste, nominated by the Divisional Commissioner,		
(4) District Harijan and Social Welfare Officer.		

(5) Regional/District Employment Officer.	Member Secretary.
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7. **Sources of recruitment.**- Recruitment to the lowest grade of the ministerial staff in a subordinate office shall be made by direct recruitment through the Selection Committee referred to in rule 6 on the basis of academic and other attainments as provided in rule 12:

Provided that upto 10 per cent of the vacancies in a particular subordinate office may be filled by the appointing authority by promotion from amongst High School pass Class IV employees of that office in accordance with the orders of Government issued from time to time.

Note. - The orders in force at the time of commencement of these rules are contained in G.O. No. 37/1/59. - Appointment (B), dated January 1, 1970, Annexure 'A'.

8. **Recruitment to be made every year.**- Selection for recruitment under these rules shall, subject to existence of vacancies, be made for all the subordinate offices in a district once within a year of recruitment:

Provided that a second or any subsequent recruitment may, keeping in view the requirements, be also made within the same year of recruitment in a particular district or for a particular office.

9. **Vacancies to be intimated to the district selection committee.**- (1) The Head of an office within a district shall intimate in writing to the Secretary of the District Selection Committee the vacancies in the office or offices under his control which exist and which are likely to fall vacant within the year of recruitment. It shall be specified how many vacancies are required under the orders of the Government to be reserved for the candidates belonging to the Scheduled Caste and other categories.

(2) The vacancies shall be intimated under sub-rule (1) within the month of July every year:

Provided that where District Selection Committee requires the vacancies to be intimated in any other month of the year, the intimation shall be sent accordingly.

10. **Vacancies to be recruited at regional level.**- Recruitment requiring to be made at the Regional/Zonal/Divisional level shall be made through the Selection Committee of the District in which the Regional/Zonal/Divisional Office is situated. Intimation of the vacancies shall be made by the Head of the Regional/Divisional Office.
11. A candidate for direct requirement must have attained the age of 18 years and must not have attained the age of 27 years on the first day of July of the year of the recruitment:

Provided that the upper age limit shall in the case of candidates belonging to the Scheduled Castes, Scheduled Tribes and dependents of freedom fighters be greater by five years.

12. **Academic qualifications.**- A candidate for direct recruitment must have passed the Intermediate Examination of the Board of High School and Intermediate Education, Uttar Pradesh, or an Examination declared by the Governor as equivalent thereto:

Provided that in the case of the post of typist, a candidate must also possess minimum speed of 25 words a minute in Hindi typewriting.

13. **Relaxation for ex-Servicemen and certain other categories.**- Relaxation, if any, from maximum age-limit, educational qualifications or/and any procedural requirements of recruitment in favour of the ex-servicemen, disabled military personnel, dependents of military personnel dying in action, dependents of Uttar Pradesh Government servants dying in harness and sportsmen shall be in accordance with the general rules or orders of the Government in this behalf in force at the time of recruitment.
14. **Basis of selection.**- Selection of candidates shall be made by the Selection Committee essentially on the basis of academic attainments of the candidates. Accordingly, in forwarding the names of the candidates the Employment Officer shall have regard to the academic attainment of the candidates, particularly their attainments at the minimum qualifying examination referred to in rule 12.
15. **Notification of vacancies to the employment exchange.**- When the intimation of the vacancies from the various departments in the district have been received the vacancies shall be formally notified to the District Employment Exchange by the Secretary of the District Selection Committee. If the names of eligible candidates are not received from the Employment Exchange in requisite numbers, the President of the Selection Committee may call for the names from the Employment Exchanges in one or more of the adjoining districts. If the names

received are still not in requisite numbers, the President may invite applications directly also through publication of notice in one or more newspapers having wide circulation in the area:

Provided that where the recruitment is required to be made at the Regional/Zonal/Divisional level as provided in Rule 10, names may be obtained from the Employment Exchange/Exchanges of the District/Districts within the Region/Zone/Division to which the vacancies relate.

16.Procedure of selection.- (1) When the names of the candidate have been received by the Secretary of the Selection Committee, he shall prepare a merit list of the candidates in the following manner:

(a) the percentage of marks at the minimum qualifying examination for the post shall be entered against the name of each candidate;

(b) for every higher examination passed an additional 10 per cent of the percentage of the marks secured in each such final examination shall be entered:

Explanation. - No additional marks shall be awarded for a 'pass' in the first or second year examination of three years degree course or for Part I of the Bachelors/the Master's Degree course.

(2) The merit list so prepared shall be placed before the Selection Committee.

(3) The interview shall thereafter be held by the Selection Committee; marks shall be awarded at the interview by the Selection Committee, in the following manner:

(a)	General Knowledge	up to 20 marks.
(b)	proficiency in sports	5 marks.
	Total	25 marks

Provided that in assessing proficiency in sports allotment of marks may be as follows:

(i)	if the candidate is a sportsman of international level	...	5 marks
(ii)	if the candidate is a sportsman of national level	...	4 marks.

(iii)	if the candidate is a sportsman of State level	...	3 marks.
(iv)	if the candidate is a sportsman of University/College/ School level.	...	2 marks.

(4) The marks allotted at the interview shall be added to the marks entered on the basis of academic attainment and the aggregate of the marks so arrived at shall, subject to the provisions of sub-rule (5), determine the position of each candidate and the merit list shall be drawn up accordingly. If more than one candidate secure equal marks in the aggregate, the candidate who secures more marks on the basis of academic attainments shall be placed higher.

(5) In the case of candidates to be selected for the post of typist as also for any other post for which typing has also been prescribed by the Government as an essential qualification, only these candidates who know typewriting will be considered and final assessment of merit shall be made only after adding the marks obtained in Hindi typewriting. The candidate shall be required to appear at a competitive test. for Hindi typing. Marks shall be allowed for Hindi typing out of the maximum marks of 50. The marks attained in Hindi typing shall be added to the marks already obtained under sub-rule (4) and the final merit list shall in such case be prepared on the basis of aggregate marks.

(6) In the case of candidates for the posts for which Commerce or any other special/technical qualification is prescribed by the Government as an essential qualification only those candidates will be considered who have Inter Commerce or Bachelor of Commerce qualification/who possess the required special/technical qualifications.

(7) The names of the candidates belonging to such categories for whom vacancies are required to be reserved in accordance with the general order of the Government shall be arranged in a separate list according to their inter se merit at the examination.

(8) The number of candidates to be selected will be larger (but by not more than 25 per cent) than the number of vacancies for which the selection has been made.

(9) Three copies of the select list will be prepared. One copy will remain in the office of the Secretary of the Selection Committee and a copy each will be sent to the Director of Recruitment, Council House, Lucknow, and the President of Selection Committee.

17.Fee.- Candidates for selection shall be required to pay to the Selection Committee such fee as may, from time to time, be prescribed by the Governor. No claim for the refund of the fee shall be entertained.

Note. - The scale of fee prescribed at the commencement of these rules for the candidates belonging to the Scheduled Castes and Scheduled Tribes is Rs. 0.50 paise and for all other candidates Rs. 2.00.

18.Allotment of selected candidates.- Allotment for the selected candidates (both general and reserved candidates) shall be made in such a way that each office gets the required number of general and reserve candidates. The choice indicating the order of preference may be obtained from every selected candidate and allotment in the various offices may be made according to the preference starting from the candidate highest in the merit list of General candidate, followed by the candidate highest in the merit list of reserve candidates and so on. If in this process any candidate is not willing to accept appointment in the office/offices falling in his turn the name of such candidate will be delisted. In the event of any difficulty in the working of the process of allotment of the candidates, the matter shall be referred to the Government and the Government may make necessary, general or special orders which shall be final.

19.Appointment by appointing authority.- The two select lists shall be forwarded mentioning the aggregate of marks obtained at the selection by each candidate. When the names of the selected candidates, both General and Reserved, have been received in a particular office, the names of the General and Reserve candidates may be arranged in a common list according to the merit of the candidates and appointments shall be offered in the order in which the names are arranged in that list.

20.Repeal and validation.- (1) The rule for the recruitment of Ministerial Staff in the Subordinate Offices published under Notification No. O-1119/II-B-50, dated July 11, 1950, as amended from time to time, shall be, and be deemed to have been repealed with effect from June 5, 1974.

(2) The provisions of the Niyuki Anubhag IV, G.O. No. 27/2-1974 - Niyukti (4), dated June 5, 1974 as amended from time to time, shall be deemed to be the rules relating to recruitment of ministerial staff in the subordinate offices operative during the period from June 5, 1974, till the commencement of these rules and accordingly any selection or appointment made to a ministerial post in any subordinate office during the said period in accordance with the procedure laid down in the said G.O. as amended from time to time, shall be deemed to have been validly made.

21. **Ad hoc appointments.**- Where the list of selected candidates becomes exhausted or no candidate is available for appointment from out of the list of the selected candidates, *ad hoc* appointment for a period not exceeding six months may be made by the concerned appointing authority from amongst eligible candidates.