

**Uttar Pradesh Family Welfare Department Artist-Cum-Photographer
Service Rules, 1994**

1. Short title and commencement.
2. Status of the service.
3. Definitions.
4. Cadre of service.
5. Source of recruitment.
- 6.
7. Nationality.
8. Academic.
9. Preferential qualification.
10. Age.
11. Character.
12. Marital Status.
13. Physical Fitness.
14. Determination of Vacancies.
15. Procedure for direct recruitment through the Commission.
16. Appointment.
17. Probation.
18. Confirmation.
19. Seniority.
20. Scale of Pay.
21. Criteria for crossing efficiency bar.
22. Canvassing.
23. Regulation of other matters.
24. Relaxation from the conditions of service.
25. Savings.

***The Uttar Pradesh Family Welfare Department Artist-Cum-Photographer
Service Rules, 1994***

***Published vide Notification No. 5139/5-12-94-142 (11)-88, dated October
15, 1994, published in U. P. Gazette, Part 1-Ka, dated March 29, 1997***

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the Governor is pleased to make the following rules regulating recruitment and conditions of service of persons appointed to the Uttar Pradesh Family Welfare Department Artist-cum-Photographer Service Rules, 1994 :

Part I

General

1. **Short title and commencement.**- These rules may be called the Uttar Pradesh Family Welfare Department Artist-cum-Photographer Service Rules, 1994.
2. **Status of the service.**- They shall come into force at once. The Uttar Pradesh Family Welfare Department Artist-cum-Photographer Service Comprises Group 'C' posts.
3. **Definitions.**- In these rules unless there is anything repugnant in the subject or context,-

(a) "*appointing authority*" means Additional Director of Medical, Health and Family Welfare Incharge of the Division;

(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 Uttar Pradesh Subordinate Services Selection Commission;

(d) "*Constitution*" means the Constitution of India;

(e) "*Government*" means the State Government of Uttar Pradesh;

(f) "*Governor*" means the Governor of Uttar Pradesh;

(g) "*member of 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;

(h) "*Service*" means the Uttar Pradesh Family Welfare Department Artist-cum-Photographer Service;

(i) "*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 instruction issued by the Government;

(j) "*year of recruitment*" means a period of twelve months commencing from the first day of July of calendar year.

Part II

Cadre

4. **Cadre of service.**- (1) The strength of the Service shall be such as may be determined by the Government from time to time.

(2) The strength of the Service shall until order varying the same are passed under sub-rule (1) be as follows :

Permanent : 36

Temporary : 18

Provided that-

(i) the appointing authority may leave unfilled or the Government may hold in abeyance any vacant post, without thereby entitling any person to compensation;

(ii) the Governor may create such additional, permanent or temporary post as he may consider proper.

Part III

Recruitment

5. **Source of recruitment.**- The recruitment to the post in service shall be made by direct recruitment through the Commission.

6. Reservation for the 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 recruitment.

Part IV

Qualification

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 of the East African countries of Kenya, Uganda or 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, 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 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 he may also be provisionally appointed subject to the necessary certificate being obtained by him or issued in his favour.

8. **Academic.**- A candidate for direct recruitment to the service-

(i) must have passed Intermediate Examination of the Board of High School and Intermediate Education, Uttar Pradesh, or an examination declared as equivalent thereto by the Government;

(ii) must possess Diploma in Commercial or Graphic Art from any recognised institution;

(iii) must possess requisite knowledge of photography which should include finishing of the negative enlargement, colouring and translite and has good experience of these works; and

(iv) must have one year experience of working on the post of Artist in a Government or Semi-Government institution or in a reputed firm.

9. Preferential qualification.- A candidate who has-

(i) served in the territorial army for a minimum period of two years, or

(ii) obtained a 'B' certificate of National Cadet Corps, shall other thing being equal, be given preference in the matter of direct recruitment.

10.Age.- A candidate for direct recruitment must have attained the age of 21 years and must not have attained the age of more than thirty-two years on the first day of July of the calendar year in which the vacancies are advertised :

Provided that the upper age limit in the case of candidate 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.

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. 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 body owned or controlled by Union Government or State Government shall be ineligible for appointment in 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 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 rule.

13. Physical Fitness.- No candidate shall be appointed 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 he shall be required to produce a medical certificate of fitness in accordance with the rules framed under Fundamental Rules 10, contained in Chapter III of the Financial Hand Book, Volume II, Part III.

Part V

Procedure for recruitment

14. Determination of Vacancies.- The appointing authority shall determine and intimate to 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 through the Commission.- (1) Application for permission to appear in the interview shall be called by the Commission in the prescribed *pro forma* published in the advertisement issued by the Commission.

(2) The Commission shall having regard to the need for securing due representation of the candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories under rule 6, call for interview such number of candidates, who fulfil the requisite qualifications, as they consider proper.

(3) The Commission shall prepare a list of candidates in order of their proficiency as disclosed by the marks obtained by each candidate in the interview. If two or more candidates obtain equal marks, the Commission shall arrange their names in order of merit on the basis of their general suitability for the service. The number of the names in the list shall be larger (but not larger by more than 25 per cent) than the number of vacancies. The Commission shall forward the list to the appointing authority.

Part VI

Appointment, Confirmation and Seniority.

16.Appointment.- (1) The appointing authority shall make appointments by taking the names of candidates in the order in which they stand in the list prepared under rule 15.

(2) If more than one order of appointment is 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.

17.Probation.- (1) A person substantively pointed 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 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 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 his services may be dispensed with.

(4) A probationer, whose services are dispensed with under sub-rule (3) shall not be entitled to any compensation.

(5) The appointing authority may allow continuous service rendered 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.

18.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 are reported to be satisfactory;

(b) his integrity is certified; and

(c) the appointing authority is satisfied that he is otherwise fit for confirmation.

19.**Seniority.**- The seniority of persons substantively appointed to a post in the Service shall be determined in accordance with the Uttar Pradesh Government Servants Seniority Rules, 1991, as amended from time to time.

Part VII

Pay, etc.

20.**[Scale of Pay].-** (1) The scale of pay admissible to persons appointed in the Service shall be such as may be determined by the Government from time to time.

(2) The scale of pay of the post of Family Welfare Department Artist-cum-Photographer at the time of the commencement of those rules is Rs. 1400-40-1800-E.B.-50-2300.

21.**Criteria for crossing efficiency bar.**- No person shall be allowed to cross the efficiency bar unless his work and conduct are found to be satisfactory and unless his integrity, is certified.

Part VIII

Other Provisions

22.**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.

23.**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.

24.**Relaxation from the 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 equitable manner.

25. **Savings.**- Nothing these rules shall affect 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.