

Uttar Pradesh Industries Department Class IV Service Rules, 1974

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Uttar Pradesh Industries Department Class IV Service Rules, 1974

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In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and in supersession of all existing rules and orders on the subject, the Governor of Uttar Pradesh is pleased to make the following rules regulating the recruitment to, and conditions of service of persons appointed

to, the various posts in the Uttar Pradesh Industries Department Class IV Service :

Part I

General

1. **Short title and commencement.**- (a) These rules may be called the Uttar Pradesh Industries Department Class IV Service Rules, 1974.

(b) They shall come into force at once.

2. **Definitions.**- In these rules, unless the context otherwise requires,-

(a) "*Appointing authority*" in respect of the various categories of posts at the head office, zonal office, sub-zonal office and other subordinate offices of the Directorate of Industries, including the posts sanctioned under various schemes, means the authorities specified therefor in Rule 15;

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

(c) "*Director*" means the Director of Industries, Uttar Pradesh;

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

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

(f) "*Head Office*" means the office of the Director of Industries, Uttar Pradesh;

(g) "*Member of the Service*" means a person appointed in a substantive capacity under the provisions of these rules or of any rules or orders in force prior to the promulgation of these rules, to a post in the cadre of the Service;

(h) "*Service*" means the Uttar Pradesh Industries Department Class IV Service; and

(i) "*Zonal Office*" and "*Sub-Zonal Office*" respectively means the office of the Zonal Officer and Sub-Zonal Officer of the Directorate of Industries.

Part II

Cadre

3. **Strength of the Service.**- (1) The strength of the Service and of each category of posts therein shall be such as may be determined by the Governor from time to time.

(2) One permanent strength of the Service of each category of posts therein shall, until orders varying the same have been passed under sub-rule (1), be as given in Appendix "A" to these rules :

Provided that-

(i) the Governor may hold in abeyance or the Director may leave unfilled any vacant post without thereby entitling any person to compensation; or

(ii) the Governor may create such additional permanent or temporary posts from time to time as may be found necessary.

Part III

Sources of Recruitment

4. **Source of Recruitment.**- Recruitment to the various categories of posts in the Service shall be made from the sources mentioned below :

Posts at the Head Office

(1)	Posts specified in... Group A in Appendix A (at Serial Nos. 1 to 11)	By direct recruitment as provided in Part V of these rules.
(2)	Posts specified in... Group B in Appendix A (at Serial Nos. 12 to 14)	By promotion from amongst peons, orderlies, library attendants and treasury messengers/ treasury runners at the Head Office;
		Provided that for the post of Daftari only such

		persons will be eligible who, to the satisfaction of the appointing authority, possess the requisite knowledge and experience for the work of Daftari.
(3)	Posts specified in... Group C in Appendix A (at Serial No. 15)	By direct recruitment as provided in Part V of these rules :
		Provided that the post may be filled by promotion of Daftari at the Head Office if he, to the satisfaction of the appointing authority, possesses the requisite knowledge and experience for the work of cyclostyling and has not exceeded the age of 40 years at the time of the selection.
(4)	Posts specified in... Group D in Appendix A (at Serial Nos. 16 and 17)	By direct recruitment as provided in Part V of these rules.
(5)	Posts specified in... Group E in Appendix A (at Serial No. 18)	By promotion of Duplicating-cum-Cyclostyler at the Head Office.
Posts in the Zonal/Sub-Zonal and Subordinate Offices, including posts sanctioned under various schemes		
(6)	Posts specified in... Group F in Appendix A (at Serial Nos. 19 to 29)	By direct recruitment as provided in Part V of these rules.
(7)	Posts specified in... Group G in Appendix A (at Serial Nos. 30 and 31)	By promotion of the peons, orderlies attendants, packers, sales attendants, Stock arranger, Farrash, Cleaners and Laboratory attendants/Lab. bearers/ Store attendants, working in the office within the Zone/Sub-Zone:

		Provided that for the post of Daftari only those persons will be eligible who, to the satisfaction of the appointing authority, possess the requisite knowledge and experience for the work of Daftari.
(8)	Posts specified in... Group H in Appendix A (at Serial Nos. 32 to 35)	By direct recruitment as provided in Part V of these rules.

5. Reservation for Scheduled Castes, etc.- Reservation in direct recruitment for Scheduled Castes, Scheduled Tribes, disabled military personnel, physically handicapped persons and dependants of Freedom Fighter shall be in accordance with the orders issued by the Government from time to time.

Note.-A copy of the orders in force at the time of the commencement of these rules is given in Appendix 'B'.

Part IV

Qualifications

6. Nationality.- A candidate for recruitment to the Service must be-

(a) a citizen of India, or

(b) a subject of Sikkim, or

(c) a Tibetan refugee who came over to India before January 1, 1962 with the intention of permanently settling in India, or

(d) a person of Indian origin who has migrated from Pakistan, Burma, Ceylone and East African countries of Kenya, Uganda and United Republic of Tanzania (formerly Tanganyika and Zanzibar) with the intention of permanently settling in India :

Provided that a candidate belonging to category (c) or (d) above shall 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 (c) will also be required to obtain a certificate of eligibility granted by the Deputy Inspector General of Police, Intelligence Branch, U. P. :

Provided also that if a candidate belongs to category (d) above, no certificate of eligibility will be issued for a period of more than one year, and such a candidate may be retained in service after a period of one year, only if he has acquired 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 conducted by the recruiting authority and he may also be provisionally appointed subject to the necessary certificate being obtained by him or issued in his favour.

7. **Age.-** A candidate for direct recruitment to the Service must have attained the age of 21 years and must not have attained the age of 27 years on the first day of July if the posts are advertised during the period January to June and the first day of January of the following year if the posts are advertised during the period July 1 to December 31 :

Provided that the upper age limit shall, in the case of candidates of Scheduled Castes, Scheduled Tribes and dependants of Freedom Fighters be greater by 5 years :

Provided further that the Director may relax the upper age limit in favour of any candidate or class of candidates if he considers it necessary in the interest of fair dealing or in public interest.

8. **Academic qualifications.-** A candidate for direct recruitment to a post in, the Service must possess the following qualifications ;

- (1) For the post of Duplicating-cum-Cyclostyler-Must have passed Class V and must also have requisite knowledge and experience for the work of duplicating and cyclostyling.

(2) For the post of Electrician-Must have passed Class V and must also possess requisite knowledge and experience of work of electrician.

(3) Driver-Must have passed Class V and must be a holder of driving licence for car/jeep/heavy vehicle.

(4) Post of Peon, Orderlies, Farrash, Waterman, Mate, Library Attendant, Treasury Messenger, Treasury Runner, Cleaner, Packer, Sales Attendant, Stock Arranger, Cleaner, Maker and Laboratory Attendant/Lab. Bearer, Store Attendant.-Must have passed Class V.

9. **Preferential qualification.**- A candidate shall, other things being equal, be given preference over other candidates in the case of direct recruitment if he-

(a) has served in the Territorial Army for a minimum period of two years; or

(b) has obtained a 'B' certificate of the National Cadet Corps.

10. **Character and conduct.**- The character of a candidate for direct recruitment must be such as to render him suitable in all respect of employment in the Service. The appointing authority shall satisfy itself on this point.

Note.-Persons dismissed by the Union Government, the State Government or by any other State Government or by a Local Authority or by a Government Company or Corporation or a Public Sector Undertaking, shall be deemed to be ineligible for appointment.

11. **Physical fitness.**- No person shall be appointed to any post in the 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 official duties. Before a candidate is finally approved for appointment to the Service he shall be required to produce a certificate of fitness in accordance with the rules framed under Fundamental Rule 10 contained in Chapter III of the Financial Handbook, Volume II, Part III.

12. **Marital status.**- A male candidate who has more than one wife living or a female candidate who married a man already having a wife living shall not be eligible for recruitment to the Service.

Provided that the Governor may, if satisfied that there exist special grounds for doing so, exempt any person from the operation of this rule.

Part V

Procedure for Recruitment

13. Direct recruitment.- (1) The appointing authority concerned shall ascertain the probable number of vacancies likely to occur in different categories of posts in the Service during the course of the year which are required to be filled up by direct recruitment. The appointing authority shall also determine the number of vacancies to be reserved, if any, for candidates belonging to Scheduled Castes and other categories under Rule 5.

(2) The appointing authority shall invite applications through the Employment Exchange in accordance with the procedure prescribed by the Government in this behalf.

Note.-The procedure for inviting applications at the time of commencement of these rules is given in Appendix "C" to these rules.

(3) The applications received through the Employment Exchange shall be scrutinised by the appointing authority which shall call such persons as seem best qualified under these rules for interview before the Selection Committee at a date and time to be fixed for the purpose.

(4) The Selection Committee referred to in sub-rule (3) shall consist of the following:

(a) For the post at the Head Office-

(1) Assistant Director of Industries (Establishment).

(2) A representative from the local Employment Exchange.

(b) For the posts at the Zonal/Sub-Zonal Office-

(1) Zonal/Sub-Zonal Officer.

(2) A representative from the local Employment Exchange.

(c) For the posts under Rural Industries Projects-

(1) Dy. Director of Industries (Rural Industries Project).

(2) A representative from the local Employment Exchange.

(d) For the posts under Area Development Office-

(1) Area Development Officer.

(2) A representative from the local Employment Exchange.

(e) For the posts at the District Level-

(1) District Industries Officer.

(2) A representative from the local Employment Exchange.

(f) For the posts under any other scheme-

(1) An Officer of the Department nominated by the Director.

(2) A representative from the local Employment Exchange.

(5) The Selection Committee shall interview candidates and select to such candidates as, in its opinion are most suitable for the post. In making assessment of the suitability regard shall be shown to the educational qualifications, health, temperament and past experience having bearing to the post and the fact that the candidate knows cycling. The names of the selected candidates shall be arranged in a select list to be drawn up in order of preference. The list shall contain the names of the candidates double the number of vacancies for which the selection is made. The list shall hold good for one year or until the next selection.

14. Recruitment by promotion.- (1) When the number of vacancies of different categories of posts to be filled by promotion has been

determined, a selection on the basis of seniority subject to the rejection of the unfit shall be made by the Selection Committee referred to in sub-rule (4) of Rule 13.

(2) For the purpose of promotion a list to be called as 'eligibility list' of all the eligible candidates shall be prepared. Where promotion is to be made from more than one categories of posts in the Service as combined eligibility list of the incumbents of such posts shall be prepared according to the date of their substantive appointment. Where the date of substantive appointment of two or more persons is the same, their names shall be arranged according to their age; the older in age will be considered senior.

(3) The eligibility list together with the gradation list of all the persons within the field of eligibility and the Character Rolls of the candidates included in the eligibility list together with such other records, if any, pertaining to them as may be relevant to the purpose shall be placed before the Selection Committee.

(4) The Selection Committee shall consider the cases of all the candidates eligible for promotion with reference to the Character Rolls and other records placed before it with a view to judging their suitability for the post for which selection is to be made. If the Selection Committee considers it necessary it may also interview all or any of the candidates.

(5) The names of the selected candidates shall be arranged in order of their seniority in the post from which the promotion is made. The select list so prepared shall contain the names of the candidates double the number of vacancies for which the selection is made. The list shall hold good for one year or until the next selection.

15.Appointing authority.- The following shall be the appointing authorities for the various categories of posts in the Service :

A.	<i>Posts at the Head Office:</i>	
1.	All posts at the head office	Assistant Director of Industries (Establishment).
B.	<i>Posts at the Zonal/Sub-Zonal Offices :</i>	

1.	All posts at... Zonal/Sub-Zonal Office;	The Zonal Officer/Sub-Zonal Officer
C. Other posts :		
1.	All posts at the... Office of District Industries Officer/created under any Schemes running under the charge of the District Industries Officer....	The District Industries Officer.
2.	All posts created... under the various schemes.	The Officer who is directly incharge of the scheme.

Part VI

Appointment, Probation and Promotion

16.Appointments.- (1) Appointment to the various categories of posts shall be made by the appointing authority concerned on the occurrence of substantive vacancies by taking candidate in the order which their names stand in the respective list prepared under Rule 13(5) or 14(5).

(2) The appointing authority concerned may make appointments against temporary or officiating vacancies also from the respective lists referred to in sub-rule (1). If any of the lists is exhausted or when no candidate borne on the list is available the appointing authority may make purely temporary appointments on an ad hoc basis from amongst the persons eligible for promotion subject to the condition that further continuance of the persons so promoted, shall depend on their selection at the next selection made under these rules.

17.Seniority.- Seniority in various categories of posts shall be determined by the date of the order of appointment in a substantive vacancy :

Provided that if two or more candidates are appointed on the same date, their seniority inter se shall be determined according to the order in which their names appear in the order of appointment.

18.Probation.- (1) Every person on appointment to the Service in or against a substantive vacancy shall be placed on probation for a period of two years.

(2) The appointing authority may allow continuous service, rendered in an officiating or temporary capacity in a post included in the cadre of the Service or on any other equivalent or higher post in the Service, to be taken into account for the purpose of computing the period of probation.

(3) The appointing authority may for reasons to be recorded, extend the period of probation in individual cases, specifying the exact date up to which the extension is granted.

(4) 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, as the case may be, that a probationer has not made sufficient use of his opportunities or has otherwise failed to give satisfactions in respect of his work and conduct, he may be reverted to his substantive post, if any, or if he does not hold a lien on any post, his services may be dispensed with.

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

19.Confirmation.- A probationer shall be confirmed in his appointment at the end of the period of probation or extended period of probation if his work and conduct have been found to be satisfactory and his integrity is certified.

20.Scale of pay.- The scales of pay admissible to persons appointed to the posts included in the cadre of the service whether in a substantive or officiating capacity or as a temporary measure shall be such as may be determined by the Government from time to time. The scales of pay in force are given below :

	<i>Before 1-8-72</i>	<i>From 1- 8-72</i>
	<i>Rs.</i>	<i>Rs.</i>
1. Mechanic-cum-Cyclostyler/Driver (at an office other than Head Office for heavy vehicles)	18-140	185-265

2. Driver (for light vehicles), Electrician	75-115	175-250
3. Jamadar, Daftari, Duplicator-cum- Cyclostyler	60-80	170-225
4. Peon, Orderlies, Attendants, Farrash, Waterman, Chaukidar, Mali, Garden Coolie, Mate, Library Attendant, Treasury Messenger, Treasury Runners, Cleaners, Sweeper, Packer, Marker, Sales Attendant, Stock Arrangers, Laboratory Attendants, Lab. Bearer, Store Attendant		

21. Pay during probation.- (1) Notwithstanding any provision in the Fundamental Rules to the contrary, a person on probation if he is not in permanent Government service, shall draw, during the period of probation, increments on the condition that his work is reported to be satisfactory :

Provided that if the period of probation is extended on account of failure to give satisfaction, the extended period shall not count for increment unless the appointing authority directs otherwise.

(2) The pay during the probation of a person already in the permanent Service of the Government shall be regulated by the relevant rules referred to in Rule 24.

22. Criteria for passing the efficiency bars.- No member of the Service shall be allowed to cross the efficiency bar at any stage unless his record of service shows that he has worked steadily with distinct ability and his integrity is certified.

Part VIII

Other Provisions

23.Canvassing.- No recommendations, either written or oral, other than those required under these rules, will be taken into consideration. Any attempt on the part of a candidate to enlist support directly or indirectly for his candidature by other means will render him liable to be disqualified for appointment.

24.Regulation of other matters.- In regard to the matters not specifically covered by these rules or by special order, 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 Uttar Pradesh.

25.Relaxation from conditions of service.- Where the State Government is satisfied that the operation of any rule regulating the conditions of 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.

Appendix A

Posts at the Head Office

Sl. No.	Designation of posts	Scale of Pay		Number of posts
		Before 1-8-1972	From 1-8-1972	
1	2	3	4	5
Group 'A', Section I				
1.	Peon, Orderlies and Attendant	Rs. 55-1-60-E.B.-1-65-E.B.-1-70-E.B.-1-75	Rs. 165-2-185-E.B.-3-215	110
2.	Farrash	Rs. 55-1-60-E.B.-1-65-E.B.-1-70-E.B.-1-75	Rs. 165-2-185-E.B.-3-215	26
3.	Chaukidar			
4.	Waterman			
5.	Mali			
6.	Garden Coolie			
7.	Mate			
8.	Treasury Messenger /			

	Treasury Runner			
9.	Cleaner			
10.	Sweeper			
11.	Library Attendant			
Group 'B', Section II				
12.	Jamadar	Rs. 60-1-65-E.B.-1-70-E.B.-1-75-E.B.-1-80.	Rs. 170-2-190-E.B.-3-205-E.B.-4-225	
13.	Daftari	<i>Ditto</i>	<i>Ditto</i>	8
14.	Record Keeper-cum-Attendant	<i>Ditto</i>	<i>Ditto</i>	2
Group 'C', Section III				
15.	Duplicator-cumCyclostyler.	Rs. 60-1-65-E.B.-1-70-E.B.-1-75-E.B.-1-80.	Rs. 170-2-190-E.B.-3-205-E.B.-4-225	
Group 'D', Section IV				
16.	Driver	Rs. 75-2-85-E.B.-2-97-E.B.-3-115.	Rs. 175-3-205-E.B.-4-225-E.B.-5-250.	
17.	Electrician	<i>Ditto</i>	<i>Ditto</i>	1
Group 'E', Section V				
18.	Mechanic or Cyclostyler	Rs. 80-3-95-E.B.-3-110-E.B.-3-125-E.B.-3-140	Rs. 185-3-215-E.B.-4-235-E.B.-6-265	
Posts at Zonal/Sub-Zonal and other Subordinate Offices				
Group 'F', Section I				
19.	Peons, Orderlies	} Rs. 55-1-60-E.B.-1-65-E.B.-1-70-E.B.-1-75	Rs. 165-2-185-E.B.-3-215	249
20.	Chaukidar			

21. Mali	Rs. 55-1-	Rs. 165-2-	82
22. Packer, Marker	60-E.B.-	185-E.B.-3-	
23. Waterman- cum-Coolie	1-65-	215	
24. Stock Arranger	E.B.-1-		
25. Farrash	70-E.B.-		
26. Rikshaw Chalak/ Attendant	1-75		
27. Lab. Attendant/ Lab. Bearer/ Store Attendant	Rs. 55-1- 60-E.B.-1- 65-E.B.-1- 70-E.B.-1- 75	Rs. 165-2- 185-E.B.-3- 215	9
28. Sales Attendant	<i>Ditto</i>	<i>Ditto</i>	14
29. Sweeper	<i>Ditto</i>	<i>Ditto</i>	52
Group 'G', Section II			
30. Daftari	Rs. 60-1- 65-E.B.-1- 70-E.B.-1- 75-E.B.-1- 80	Rs. 170-2- 190-E.B.-3- 205-E.B.-4- 225	20
31. Jamadar	<i>Ditto</i>	<i>Ditto</i>	1
Group 'H', Section III			
32. Carpenter	Rs. 65-1- 70-E.B.-1- 75-E.B. -1- 80-E.B.-2- 90	<i>Ditto</i>	1
Group 'I', Section IV			
33. Electrician	Rs. 75-2- 85-E.B.-2- 97-E.B.-3- 115	Rs. 175-3- 205-E.B.-4- 225-E.B.-5- 250	1
Group 'J' Section V			
34. Driver	Rs. 75-2- 85-E.B.-2- 97-E.B.-3- 115.	Rs. 175-3- 205-E.B.-4- 225-E.B.-5- 250.	1
35. Driver	Rs. 80-3- 95-E.B.-3- 110-E.B.-3-	Rs. 185-3- 215-E.B.-4-	1

		125-E.B.-3-140.	235-E.B.-6-265.	
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