

UTTAR PRADESH STATE PUBLIC SERVICES TRIBUNAL DRIVER'S SERVICES RULES, 1998

In pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of notification No.A-124/V11-Nyaya-8-AdhiJ98-24—25-95, dated May 15, 1998 : No.A-124/V11-Nyay-8-Adhi/98-26—25-95 May 15, 1998 In exercise of the powers conferred under section 3-A and section 7 of the U.P.Public Services Tribunal Act, 1976 and in supersession of All the existing rules and orders on the subject, the Governor is pleased to make the following rules regulating recruitment and conditions of service of persons appointed to the Uttar Pradesh State Public Service Tribunal Driver's Service : Short title and commencement Status of Service Application of these rules Definitions 1. 2. 3

4. THE UTTAR PRADESH STATE PUBLIC SERVICES TRIBUNAL DRIVER'S SERVICES RULES, 1998 Part I—General (1) These rules may be called the Uttar Pradesh State Public Services Tribunal Driver's Services Rules, 1998. They shall come into force at once. (2) Uttar Pradesh State Public Services Tribunal Driver's Service comprises of Group 'C' posts. These Rules shall apply to the posts of Driver's in the State Public Service Tribunal. In these rules (a) (b) (c) (d) (e) (f) 'appointing authority' means the Chairman of the State Public Services Tribunal; "Backward classes" means the other backward classes of citizens specified in Schedule I of the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and other Backward Classes) Act, 1994; "citizen of India" means a person who is or is deemed to be a citizen of India under Part-II of the Constitution. "Constitution" means the constitution of India; "Government" means the Government of Uttar Pradesh. "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; "Service" means the Uttar Pradesh State Public Tribunal Driver's Service; (h) (j) "substantive appointment" means an appointment not being an adhoc 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; "Registrar" means the registrar of the State Public Services Tribunal; "Year of recruitment" means a period of twelve months commencing from the first day of July of a calendar year. Part [I—cadre Strength of Service Source of recruitment Nationality 5. 6. 7

8. The strength of the service shall be such as may be determined by the • Government from time to time.Part III—Recruitment Recruitment to a post in the Service shall be made by direct recruitment. Reservation for candidates belonging to Scheduled Castes or Scheduled Tribes and other categories shall be in accordance with the Uttar Pradesh Public Services (Reservation for Scheduled Castes/Scheduled Tribes and other Backward Classes) Act, 1994 and the Uttar Pradesh Public Service (Reservation) for Physically Handicapped, Dependents of Freedom Fighters and Ex-Servicemen) Act, 1993. Part IV—Qualifications A candidate for direct recruitment to a post in the service must be : (b) (c) a citizen of India; or a Tibetan refugee who came over to India before the 1st Jan, 1962, with the intention of permanently settling in India; or a person of Indian origin who has migrated from Pakistan, Burma, Srilanka or any of the 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 (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 (c) above must be a person in whose favour a certificate of eligibility has been issued by the State Government; 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 candidate in service beyond, the period of one year, shall be subject to the necessary certificate being obtained by him or issued in his favour. Age Educational qualification Preferential qualification Character Marital Status Physical Fitness 9. 10. 11. 12. 13

14. A candidate for direct recruitment must have attained the age of twenty one years and must not have attained the age of more than thirty two years on the first day of the year of recruitment in which vacancies are notified to the Employment Exchange .Provided that the upper age limit in the case of candidates belonging to the Scheduled Castes, Scheduled Tribes and such other categories as may

be notified by the Government from time to time shall be yeater by such number of year as may be specified. A candidate for direct recruitment to the service must ; have passed Class VIII examination from a recognised educational (i) institution; and possess a valid driving license for heavy or light vehicle, as the case may be, for a period of not less than three year preceding the date on which vacancy is notified to the employment exchange under Rule 15. A candidate, who has; (ii) (iii) passed High School examination of the Board of High School and Intermediate Education, Uttar Pradesh. knowledge of Vehicle Mechanism, or served in the teritorial army for a minimum period of two years; shall, other things being equal, be given preference in the matter of recruitment to the service. The character of a candidate for recruitment to the service must be such as to render him suitable in all respects for employment in Government service. The appointing authority shall sasify himself on this point. Persons dismissed by the Union Government or a State Note Government or a Local authority or by a Corporation or Body owned or controlled by the Union Government or State Government shall be ineligible for recruitment to the service. Persons convicted of an offence involving moral turpitude shall also be deemed ineligible. A male candidate who has more than one wife living or a female candidate who has married to a man already having a wife living shall not be eligible for recruitment to 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. No person shall be appointed to Service by direct recruitment 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 timely approved for appointment to the service, he shall be required to Determination of Vacancies Procedure for direct recruitment 15. 16. produce a certificate of fitness in accordance with the rules framed under fundamental Rule 10 contained in Chapter III of the Financial Handbook, Volume 11 Part 111. The appointing authority shall determine and notify to the Employment Exchange the number of vacancies to be filled during the course of the year and shall also determine the number of vacancies to be reserved for the candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories under rule 7, Appointing Authority shall also advertise the vacancies in one or more newspaper having wide circulation in the area. For the posts of direct recruitment, there shall be constituted a Selection Committee comprising : (a) (b) (c) (d) (2) (3) Appointing Authority. An officer belonging to the Scheduled Castes or the Scheduled Tribes nominated by the Appointing Authority if the appointing authority does not belong to the Scheduled Castes or the Scheduled Tribes, an officer other than belonging to the Scheduled Castes or the Scheduled Tribes or Backward Classes be nominated by the Appointing Authority. An officer belonging to backward classes nominated by the Appointing Authority, if the Appointing Authority does not belong to Backward Classes. If the Appointing Authority belongs to Backward Classes an officer other than belonging to backward classes or the Scheduled Castes or the Scheduled Tribes, nominated by the Appointing Authority Regional Transport Officer, Lucknow or his nominee not below the rank of Assistant Regional Transport Officer. Chairman Member Member Member The application received directly or through the employment exchange shall be scrutinised by the appointing authority who shall call such persons for interview and driving test as appear qualified under these Rules. The Selection Committee shall, after the interview and driving test prepare a list of candidates in order of their proficiency as disclosed by the aggregate of obtained by them in interview and driving test. If two or more candidates obtain equal marks, the Selection Committee 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 twenty five percent, than the number of the vacancies. The Selection Committee shall forward the list to the appointing authority. Appointment Probation Confirmation Seniority Scale of Pay Pay during Probation Part V—Appointment, Probation, Confirmation and Seniority (1)The appointing authority shall make appointment by taking the names of 17. 18. 19. 20. 21. 22. (2) (1) (2) (3) (4) the candidates in the order in which they stand in the list prepared under rule 16. If more than one orders 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. A person on appointment to a post in the service shall be placed on probation for a period of two years; 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, If it appears to the appointing authority at any time during or at the end of the period or probation of 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. A Probationer whose services are dispensed with under sub-rule (3) he shall not be entitled to any compensation. 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 are found to be satisfactory, his integrity is certified, and the appointing authority is satisfied that he is otherwise fit for confirmation. The seniority of the members of the Services substantively appointed shall be determined in accordance with the Uttar Pradesh Government Servants Seniority Rules, 1991, as amended from time to time. Part VII—Pay The scales of pay admissible to a person appointed to a post in the service shall be such as may be determined by the Government from time to time. 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 : Criterion for crossing efficiency bar Canvassing Regulations of other matters Relaxation in the conditions of service Saving 23. 24. 25. 26

27. Provided that if the period of probation is extended on account of failure of give satisfaction such extension shall not count for increment unless the appointing authority directs otherwise.No member of service shall be allowed to cross the efficiency bar unless, his work and conduct are reported to be satisfactory and his integrity is certified. Part VIII—Other Provisions No recommendations, either, written or oral, other than those required under these rules applicable to the service 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 shall disqualify him for appointment. In regard to matters not specifically covered by these rules, 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. 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 requirement of that rule to such extent and subject to such conditions as it may consider necessary for dealing with the case in just and equitable manner. Nothing in these rule 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.