

UTTAR PRADESH LABOUR WELFARE BOARD (NON-GAZETTED) EMPLOYEES SERVICE RULES, 2024

Uttar Pradesh Shasan Shram Anubhag-3 In pursuance of the provisions of clause, (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of Notification no. ff2024L1ØIO/XXXV1-03-2024- dated October, 2024 : Notification No. /2024/1310/XXXV1-03-2024-01 (Sa)/13-371018 Lucknow; Dated : October, 2024 WHEREAS the Uttar Pradesh Labour Welfare Board (Non-Gazetted) Employees Service Rules, 2024 which the Governor proposes to make in exercise of the powers under sub-section (1) of section 25 of the Uttar Pradesh Labour Welfare Fund Act, 1965 (U.P. Act no. XIV of 1965) was published vide Notification no. 278/36-03-2024-01 (sa)/13 dated 06 February, 2024 inviting objections and suggestions from all persons likely to be affected thereby on or before the expiry of period of forty-five days from the date of publication of the said notification in the Gazette; AND WHEREAS no objections or suggestions were received from persons likely to be affected thereby, before the expiry of the said period of forty-five days; NOW, THEREFORE, in exercise of powers under sub-section (1) of section 25 of the Uttar Pradesh Labour Welfare Fund Act, 1965 (U.P. Act no. XIV of 1965) read with section 21 of the Uttar Pradesh General Clauses Act, 1904 (U.P. Act no. I of 1904), the Governor is pleased to make the following rules, namely:- The Uttar Pradesh Labour Welfare Board (Non-Gazetted) Employees Service Short title and (1) commencement (2) Status of service Rules 2024 these rules may be called the Uttar Pradesh Labour Welfare Board (Non-Gazetted) Employees Service Rules 2024. they shall come into force on the date of their final publication in the official Gazette. The Uttar Pradesh Labour Welfare Board (Non-Gazetted) Employees Service is a subordinate staff service which includes Group "C" posts. Definitions (a) (b) (c) (d) (e) (f) (g) (h) Cadre of Service (1) (2) 3. In these rules, unless there is anything repugnant in the subject or context :- 'the Appointing Authority' means the Labour Welfare Commissioner, Uttar Pradesh; "Board" means the Uttar Pradesh Labour Welfare Board constituted under sub-section (1) of section 4 of the Uttar Pradesh Labour Welfare Fund Act, 1965 (U.P. Act no. of 1965 "Citizen of India" means a person who is or is deemed to be a citizen of India under Part III of the Constitution, "Constitution" means the Constitution of India, "Government" means the Government of Uttar Pradesh; "Labour Welfare Commissioner" means the authority appointed under section 8 of the Uttar Pradesh Labour Welfare Fund Act, 1965 U.P. Act no. XIV of 1965), "Member of the Service" means a person substantially appointed under these rules or the rules or orders in force before the commencement of these rules, to a post in the cadre of the service; "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 instructions issued by the Government; "Year of recruitment" means a period of twelve months commencing from the first day of July of a calendar year. The strength of the service and the number of posts in each category in it shall be such as may be determined from time to time by the Government. The strength of the Service and the strength of each category of posts therein, unless otherwise ordered under rule (1) to vary the same, are given in Appendix Provided that the appointing authority may leave a post unfilled or the Board may hold it in abeyance any vacant post, without thereby entitling any person to compensation. The Government may from time to time create such additional permanent or temporary posts as it deems fit. 5. Recruitment to various categories of posts in the service shall be made from the following sources:- Source Recruitment Group "C" Reservation Nationality S.N. Designation Assistant Accountants' Accountant Recruitment/ of Source 'Qualification the Direct Recruitment/ As per qualification prescribed by the Government. Promotion/As per the qualification prescribed by the Government

6. Reservation for the candidates belonging to Scheduled Castes, Scheduled Tribes and other Categories shall be in accordance with the Acts, rules and orders of the Government in force at the time of the recruitment

7. 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 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 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 more than one year and the retention of such a candidate in service beyond a period of one year, shall be subject to his academic qualification. Preferential qualification Age Character 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. A candidate for direct recruitment to the post of Assistant Accountant in the Service must possess the following qualifications :- (i) Bachelor's Degree in Commerce from a University established by law in India or a Post Graduate Diploma in Accountancy from a University or Institute recognised by the Government. (ii) 'O' level Diploma in computer operation from an Institute recognised by the Government.

9. A candidate who (i) has served in the Territorial Army for a minimum period of two years, or (ii) has obtained a 'B' certificate of National Cadet Corp shall, other things being equal, be given preference in the matter of direct recruitment.

10. A candidate for direct recruitment to the post of Assistant Accountant must have attained the age of 21 years and must not have attained the age of more than 40 years on the first day of July of the calendar year in which recruitment is to be made. 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 in I.

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 by a Local Authority or a Corporation or Body owned or controlled by the Union Government or a State Government shall be ineligible for appointment to any post in the Service. Person convicted of an offence involving moral turpitude shall also be ineligible. Marital Status Physical fitness 12. No person - (a) Who has entered into or contracted a marriage with a person having a spouse living, or (b) Who, having a spouse living, has entered into or contracted a marriage with any person shall be eligible for appointment to 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. No candidate shall be appointed to a 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 duties. Before a candidate is finally approved for appointment, he shall be required to produce medical Certificate or fitness in accordance with the rule framed under Fundamental rule 10, contained in chapter III of the Financial Hand-Book Volume 11, Part III. • Provided that a medical certificate of fitness shall not be required from a candidate recruited by promotion. Determination 14. The appointing authority shall determine the number of vacancies procedure vacancies to be filled 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 rule 6. The vacancies to be filled through the Commission shall be intimated to them. 15. (1) The appointing authority shall determine and intimate to recruitment in the Uttar Pradesh Subordinate Services Selection 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. (2) For the purpose of promotion on the post of Accountant Committee shall be constituted comprising:- (a) Labour Welfare Commissioner - Chairman (b) Additional/ Deputy Labour Welfare Commissioner - Member (c) Any officer belonging to Scheduled Caste not below the rank of class 11 officer of Labour Commissioner Office- Member (d) Any officer belonging to Other Backward Caste not below rank of class 11 officer of Labour Commissioner Office- Member Scale of Pay Pay during Probation Probation 15 post of Accountant from amongst substantively appointed Assistant Accountant who have completed three Years service as such on the first day of the year of recruitment. 16. (1) The scales of pay admissible to person appointed to the various categories of post in the service, whether in substantive or officiating capacity or as a temporary measure shall be such

as may be determined by the Government from time to time. 2) The Scales of pay at the time of the Commencement of these rules are given as follows: Sr. no. Name of Pay Band 2 Assistant Accountant 2 Accountant Pay Scale 3 Pay Matrices levels 29,200-92300 Pay Matrices levels 17. Notwithstanding any provision in the Fundamental Rule 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, has passed departmental examination and undergone training, where prescribed, 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 count for increment unless the appointing authority directs otherwise. 18(1) person on substantive appointment to a post in the service shall be placed on probation in accordance with the Uttar Pradesh Government Servant Probation Rules, 2013. 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 the probationer has not made sufficient use of his opportunities or has otherwise failed to give satisfaction, he may be reverted to his substantive post, if any, and if he does not hold a lien on another post, his service may be dispensed with. Probationer who is reverted or whose services are dispensed with under sub-rule (2) shall not be entitled to an increment. The appointing authority may allow continuous service, rendered in officiating or 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. Confirmation Seniority Canvassing Regulation other matters 19. A probationer shall be confirmed in his appointment at the end of the period of probation or the extended period of probation if- (a) (b) (c) his work and conduct should be described satisfactory; his integrity be certified; the appointing authority is satisfied that he is otherwise suitable for confirmation.

20. The seniority of persons substantively appointed in all category of posts in the Service shall be determined in accordance with the Uttar Pradesh Government Servant Seniority Rules, 1991, as amended from time to time.

3. Relaxation from the conditions of service or recommendations, either written or oral, other than those required under the rules applicable to the post 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. In regard to the matters not specifically covered by these rules or special orders, persons appointed to 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 operation of any rule regulating the conditions of service of persons appointed to the service would cause undue hardship in any particular case, it notwithstanding anything contained in the rule applicable to the case, by order, dispense with or relax the rule to such extent and subject to such conditions as may be specified in the order. Provided that where a rule has been framed in consultation with the Commission, that body shall be consulted before the requirements of the rule are dispensed with or relaxed. Nothing in these rules shall affect reservation and other concessions required to be provided for candidates belonging to the Scheduled Castes, Scheduled Tribes and Other special categories of persons in accordance with the order of the Government issued from time to time in this regard. By order, (Anil Kumar) Principal Secretary.