

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.242 dated 06 March , 2013 for General Information.

Government Of Uttarakhand
Panchayati Raj and Rural Engineering Service Section-2
No.242/XII-2/2013/94(5)/2003 TC-1
Dated: Dehradun 06 March 2013

NOTIFICATION

Miscellaneous

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 is pleased to make the following rules regulating recruitment and conditions of service of persons appointed to the Uttarakhand Rural Engineering Service Department, Drawing Establishment Service.

THE UTTARAKHAND RURAL ENGINEERING SERVICE DEPARTMENT DRAWING
ESTABLISHMENT SERVICE RULE ,2013

Part-I

GENERAL

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| 1. Short Title and Commencement | (1) These rules may be called the Uttarakhand Rural Engineering service Department Drawing Establishment Service Rules, 2013. |
| 2. Status of the Service | (2) They shall come into force at once.
The Uttarakhand Rural Engineering Service Department Drawing Establishment Service Rules comprising group”C” And “D” Posts. |
| 3 Definitions | 1. In these rules, unless there is anything repugnant in the subject or content-
(a) Appointing Authority means the:-
(i) regarding post of ‘Junior Engineer (Technical)’ The Chief Engineer;
(ii) regarding post of ‘Draftsman’ , the Superintendent Engineer and Headquarter attached circle ;
(iii) regarding post of ‘Tracer’ , the Executive Engineer attached region or Head Quarter ;

(b) ‘Chief Engineer’ means Chief Engineer, Rural Engineering Service Department, Uttarakhand and the post superintendent Engineer”, “Executive Engineer”
be deemed same meaning |

- (c) 'Citizen of India' means a person who is or deemed to be a Citizen of India under part II of the Constitution of India ;
- (d) 'Constitution' means 'The Constitution of India'.
- (e) Department means the Rural Engineering Service Department.
- (f) Government' means the State Government of Uttarakhand.
- (g)'Governor' means the Governor of Uttarakhand ;
- (h) member of the Service' means a person substantively appointed under these rules of or orders in force prior to the commencement of these rules to a post in the cadre of the service ;
- (i) 'Service' means the Uttarakhand Rural Engineering service Department , Subordinate Engineers Service;
- (j) Substantive Appointment' means an appointment , not being and adhoc appointment, on a post in the cadre of the service and made after selection in accordance with the rules and, if there were no rules , in accordance with procedure prescribed for the time being by executive instructions issued by the government;
- (K) Year of recruitment means a period of twelve months commencing from the first day of July of a calendar year

2. "Commission" means "Uttarakhand Public Service Commission

**Part-II
CADRE**

4. Cadre of service

- (1) The strength of the service and of each category of posts therein shall be such as may be determined by the Government from time to time.
- (2) The strength of the service and of each category of post therein shall, until orders varying the same are passed under sub-rule (1) be as given in the Appendix 'A' :
Provided that
 - (i) the appointing Authority may leave unfilled or the Governor may hold in abeyance any vacant post, without thereby entitling any person to compensation;
 - (ii) **the governor may create such additional permanent or temporary posts as he may consider proper**

**PART-III
RECRUITMENT**

5 Source of Recruitment

Recruitment to the various categories of post in the service shall be made from the following sources mainly

- (a) **Junior Engineer (Technical)**
 - (i) 50 percent by direct recruitment through Utrakhand Public Service commission;
 - (ii) 50 percent by promoting through the commission from amongst such draftsman, who have completed at least ten years service with temporary service as draftsman;

- (b) **Draftsman**
 - (i) 50 percent by direct recruitment
 - (ii) 50 percent by promotion through the selection committee from amongst such permanent Tracers, who possess a certificate of High School Education from Intermediate Education Board Uttarakhand/Uttar Pradesh or Equivalent qualification from any recognized Institution from the State Government with drawing and mathematics subject and who have completed ten years service with temporary service in the department;
- Tracer**—by direct recruitment

6 Reservation

- (c) Reservation for the candidates belonging to the schedule castes, Schedule tribes, other Backward classes and other categories to the State of Utrakhand shall be made 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 1 St January , 1962 with the intention of permanently setting of India ; or
- (c) a person of Indian origin has migrated from Pakistan, Burma, Ceylon or any of the East African countries of Kenya, Uganda and the United Republic of Tanzania (formerly Tanganika 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 Inspector General of police, Intelligence Branch Uttarakhand;

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;- In the matter of these candidates which have eligibility certificate is necessary, But neither it is issued nor rejected he may be call for examination or interview finally he can be appointed but Condition is that he should have get eligibility certificate or issued in favour of them

8 Academic Qualification

A candidate must have following qualifications for appointment on the various posts in the service;-

	<u>Post</u>	<u>Qualification</u>
1	Junior Engineer (Technical)	Diploma in civil engineering from any recognized institution by Uttrakhand /Uttar Pradesh Technical Board or civil engineering diploma from any recognized institution.
2	Draftsman	Certificate (Civil) in draftsman from any recognized institution by Uttrakhand / Uttar Pradesh Technical Board
3	Tracer	Certificate of High School Education from Intermediate Education Board Uttrakhand/ Uttar Pradesh or equivalent education from any recognized Institution from the State Government with drawing and mathematics subject.

9 Preferential Qualification

A candidate who have :-

- (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 things being equal, be given preference in the matter of director recruitment.

10 Age

A candidate for direct recruitment must have attained the age of 18 Years and must not have attained the age more than 35 year on July 1 of the year in which recruitment is to be made . But in respect of permanent Residents of Uttarakhand the maximum age limit shall be 40 years.

Provided that the upper age limit in the case of candidate belonging to the Scheduled Castes, Scheduled Tribes and such other categories to the state of Uttarakhand 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 of 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. Persons convicted of an offence involving moral turpitude shall also be ineligible.

12 Martial 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 a post in 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.

- 13 Physical Fitness**
- 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 this duties. Before a candidate is finally approved for appointment he shall be required success in Medical Examination of Medical Board;
- Provided that a medical certificate of fitness shall not be required from a candidate by promotion

Part-V

PROCEDURE OF RECRUITMENT

- 14 Determination of Vacancies**
- The Appointing Authority shall determine 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 belonging to the State of Uttarakhand under Rule 6 and shall intimate to the commission/Employment Exchange according the rules and order, time being in force.
- 15 Procedure of Direct Recruitment**
- For the post of Junior Engineer(Technical)**
- Through Uttarakhand Public Service commission by the following method-
- (1) For appearing in competition examination commission will provide prescribed application form, application form can get from the secretary of commission by payment.
 - (2) Without admit card no one can appear in the examination which is issued by commission.
 - (3) After the result of written examination and their tabulation by the commission under rule 6 for the attention of the representation of the candidate of schedule caste, Schedule Tribes, other backward classes and others will call for interview after the result of written exam, for this which have got that marks according to the established standard by commission Each candidate interview marks will add to their written exams marks.
 - (4) The commission shall prepare a list of candidate in order of their proficiency as disclosed by the aggregate of marks obtained by each candidates at the written exams and interview and for the appointment commission will approved eligible. If two or more candidate obtain equal marks that candidate will listed above who get higher marks in written. The number of names in the lists shall be more (but not more than 25 percent). The list will be sent to the appointing authority by the commission.
- 16 Procedure for Recruitment for promotion**
- Recruitment by promotion on the post of Junior Engineer (Technical) shall be made on the basis of seniority to the rejection of improper will be Uttarakhand Public Commission advisory Promotion (process) Rule,2003 which is revised time to time.
- 17 Combined Select List**
- If in any year of recruitment appointments are made both List by direct recruitment and by promotion, a combined select list shall be prepared by taking the names of candidates from the relevant lists, in such manner that the prescribed percentages is maintained, the first name in the list being of the person appointed by promotion

PART-VI

APPOINTMENT, PROBATION, CONFIRMATION AND SENIORITY

18 Appointment

- (1) Subject to the provisions of sub rule(2) the Appointing Authority shall make appointment by taking the names of candidates in the order in which they stand in the list prepared under rules 15,16 and 17 as the case may be.
- (2) Where in any year of recruitment , appointments are to be made both by direct recruitment and by promotions, regular appointments shall not be made unless selections are made from both the sources and a combined list is prepared in accordance with rule 17.
- (3) If more than one orders of appointment are issued in respect of any one selection, a combined order shall also be issued, mentioning the name of the persons in order of seniority as determined in the selection or, as the case may be, as it stood in the cadre from which they are promoted. If the appointments are made both by direct recruitment and by promotions, names shall be arranged in accordance with the cyclic order, referred to in rule 17.
- (4) The Appointing Authority may make appointments in temporary also from the list prepared under sub rule(1) If no candidate borne on these lists is available, he may make appointments in such vacancy from amongst persons eligible from appointment under these rules. Such appointments shall not last for a period exceeding one year or beyond the next selection under these rules.

Where post comes under commission, there will apply provision of Uttarakhand Public Service Commission (Deliniton of service rule 1954 Rule 5 (a))

19 Probation

- (1) A person appointed by promotion on different categories of posts 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 its 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, he may be reverted to his substantive post, if any, and if he does not hold a lien on any post, his services may be dispensed with .
- (4) A Probationer who is reverted or 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 an 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.
- 20 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 probationer shall be confirmed in his appointment at the end of the period of probation or the extended period of probation if:-
- (i) his work and conduct are reported to be satisfactory,
 - (ii) his integrity is certified, and
 - (iii) the appointing authority is satisfied that he is otherwise fit for confirmation.
- 21 Seniority**
 Seniority of substantively appointed persons in service for any post will be Uttarakhand Government Servant Seniority Rule 2002.
- PART-VII**
PAY ETC
- 22 Pay scale**
- (1) The scale of pay admissible to a person appointed to a post in the cadre of the service, whether in substantive or on 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 in **Appendix 'A'**
 Provided that if the period of probation is extended on account of failure to give satisfaction such extension shall not account for increment unless the appointing authority directs otherwise.
- 23 Pay During Probation**
- (1) Now withstanding 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 .
 Provided that if the period of probation is extended on account of failure to give satisfaction such extension shall not account for increment unless the appointing authority directs otherwise.
 - (2) The Pay during probation of persons, who has already been holding a post under the Government, shall be regulated by the relevant Fundamental Rules, applicable to Government servants generally serving in connection with the affairs of the state;
 Provided that if the period of probation is extended on account of failure to give satisfaction such extension shall not account for increment unless the appointing authority directs otherwise.
 - (3) The pay during probation of such persons, who has already been holding a confirm post under the Government, shall be regulated by the relevant Fundamental Rules, applicable to Government servants generally serving in connection with the affairs of the state.

PART-VIII
OTHER PROVISIONS

- 24 Canvassing** No recommendations, either written or oral, other than those required under the rules applicable to the post or service will be taken in to consideration. An evidence of attempt on the part of a candidate to enlist support directly or indirectly for his candidature will disqualify for appointment
- 25 Regulation of Other Matter** In regard to the matters not specifically covered by these rules or by special orders, the persons appointed to the service shall be governed by the rules, regulation and orders, applicable generally to government servants serving in connection with the affairs of the state
- 26 Relaxation in the Condition of service** Where the state government is satisfied that the operation of any rules and regulating the conditions of service of persons appointed to the Service causes undue hardship in any particular case, it, may, not withstanding anything contained in the rule 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.
- 27 Saving** Nothing in these rules shall affect reservations and other concession required to be provided for the candidates belonging to the schedule castes, Scheduled Tribes and other special categories of persons to the state of Uttrakhand in accordance with the orders of the Government issued from time to time in this regards.

By Order,
(RC Pathak)
Secretary

Appendix 'A'

(See rule 4(2) and rule 22(2))

The strength of the service and pay scale

S.No.	Name of Post	Number of Post		Pay Scale (in Rs)	
		Permanent	Temporary	Total	
1	2	3	4	5	6
1	Junior Engineer (Technical)	22	-	22	9300-34800 Grade pay 4200
2	Draftsman	20	-	20	9300-34800 Grade pay 4200
3.	Tracer	08	-	08	5200-20200 Grade pay 1800
Total		50		50	