

UTTAR PRADESH KHADI AND VILLAGE INDUSTRIES BOARD

In pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Government is pleased to order the publication of the following English translation of notification no. 9244 dated March 9, 2006:

Notification***Miscellaneous***

Lucknow, dated March 9, 2006

No. 9244.—In exercise of the powers under section 37 read with section 10 of the Uttar Pradesh Khadi and Village Industries Board Act, 1960 (U.P. Act no. 10 of 1960) and with the previous sanction of the Government, and in supersession of all existing regulations and orders on the subject, the Uttar Pradesh Khadi and Village Industries Board, hereby makes the following regulations, with a view to regulating recruitment and conditions of services of persons appointed to the Uttar Pradesh Khadi and Village Industries Board (Groups A and B) Service :

THE UTTAR PRADESH KHADI AND VILLAGE INDUSTRIES BOARD**(GROUPS "A" AND "B") SERVICE REGULATIONS, 2005****PART I—General**

1. Short title and commencement.—(1) These regulations may be called the Uttar Pradesh Khadi and Village Industries Board (Groups "A" and "B") Service Regulations, 2005.

(2) They shall come into force at once.

2. Status of the service.—The Uttar Pradesh Khadi and Village Industries Board (Groups "A" and "B") Service comprising Groups "A" and "B" posts.

3. Definitions.—(1) In these regulations, unless there is anything repugnant in the subject or context—

(a) 'Act' means the Uttar Pradesh Khadi and Village Industries Board Act, 1960 ;

(b) 'appointing authority' with respect to the posts given in Column 2 of Appendix 'A' shall mean the authorities given in Column 5 of Appendix 'A'.

(c) 'Board' means the Uttar Pradesh Khadi and Village Industries Board established under section 4 of the Act ;

(d) 'Chief Executive Officer' means the Chief Executive Officer of the Board appointed under section 10 of the Act ;

(e) 'citizen of India' means a person who is or is deemed to be a citizen of India under Part II of the Constitution ;

(f) "Constitution" means the Constitution of India ;

(e) "Degree" or "Diploma" means a degree or diploma from a University established by law in India or from a Government Institution or any other University or an Institution recognized by the Government in this behalf ;

(f) "Fundamental Rules" means the Uttar Pradesh Fundamental Rules contained in Financial Hand Book, Volume II, Parts II to IV ;

(g) "member of the service" means a person substantively appointed under these regulations or the regulations in force prior to the commencement of these regulations to a post in the cadre of the service ;

(h) "service" means the Uttar Pradesh Khadi and Village Industries (Groups 'A' and 'B') Service :-

(i) "substantive appointment" on a post in the cadre of the service, made after selection in accordance with these regulations or the regulations in force prior to the commencement of these regulations ;

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

(2) Words and expressions used in these regulations but not defined in these regulations and defined in the Act, shall have the meanings assigned to them in the Act.

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 Board with the prior approval of the State Government, from time to time.

(2) The strength of service and of each category of posts therein shall, until order varying the same as in Para 4 under sub-regulation (1), be as given in Appendix "A" provided that —

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

(ii) the Board may with the prior approval of the State Government create such additional permanent or temporary posts as it may consider proper.

PART III —*Recruitment*

5. Source of recruitment.—Recruitment to the various categories of posts in the Service shall be made from sources as specified against the relevant posts, in Column 3 of Appendix "B".

6. Reservation.—Reservation for candidate belonging to the 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—Qualifications

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 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) 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 Inspector General of Police, Intelligence Branch, Uttar Pradesh :

Provided also, that if a candidate belongs to category (c), 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 the 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 or refused, may be admitted to an examination or interview and may also be provisionally appointed subject to the necessary certificate being obtained by him or issued in his favour.

8. Academic Qualification. —A candidate for direct recruitment to a post in the service must possess the qualifications as specified against the relevant posts in Column 4 of Appendix "B".

9. Preferential Qualifications. —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 things being equal, be given preference in the matter of direct recruitment.

10. Age. —A candidate for direct recruitment to the various posts in the Service must have attained the minimum age of twenty one years and must not have attained the age of more than thirty five years on January 1 of the year in which recruitment is to be made, if the posts are advertised during the period January to June 30 and on July 1, if the posts are advertised during the period July 1 to December 31 :

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 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 the Service. The appointing authority shall satisfy himself on this point.

NOTE.—Persons dismissed by the Union Governments, 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. 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 to a post in the Service :

Provided that the Board may, if satisfied that there exist special reasons for doing so, exempt any person from the operation of this regulation.

13. Physical fitness.—No candidate shall be appointed to a post in the Service unless, he has good mental and physical 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 Rule 10, contained in Chapter (J) of the Financial Hand Book, Volume II, Part III :

Provided that such Medical Certificate shall not be required from a candidate recruited by promotion.

PART V—*Procedure for 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 the candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories under regulation 6. Appointing authority shall advertise the vacancies to be filled by direct recruitment in two leading newspapers.

15. Procedure for direct recruitment.—(1) For the purpose of direct recruitment to a post in the service there shall be constituted a Selection Committee comprising—

(i) The Chief Executive Officer

... *Chairman.*

(ii) An officer belonging to Scheduled Castes or Scheduled Tribes nominated by the appointing authority, if the appointing authority or his nominee does not belong to Scheduled Castes or Scheduled Tribes. If the appointing authority or his nominee belongs to Scheduled Castes or Scheduled Tribes, an officer other than belonging to Scheduled Castes or Scheduled Tribes to be nominated by the appointing authority

... *Member.*

(iii) Two officers nominated by the appointing authority, of whom one shall be an officer belonging to Minority Community and the other belonging to Backward Classes.

... *Member.*

(iv) Officer-in-charge of the establishment

... *Member.*

- (i) One technical officer nominated by the appointing authority ... *Member.*
- (ii) Secretary to the Government of Uttar Pradesh in personal Department or his nominee not below the rank of Deputy Secretary ... *Member.*
- (iii) One representative of State Office of Khadi and Village Industries Commission— ... *Member.*

(2) The Selection Committee shall scrutinise the applications and required the eligible candidates to appear in a competitive examination.

(3) Written examination will be objective type. This written examination will include subject papers of General Hindi, General Knowledge and General Studies. In this examination question papers will be provided in two copies (One Carbon Copy) to the candidate so that candidate can retain one copy of the papers. Negative Marking system will be adopted to avoid the guess works. In order to ensure transparency in the selection procedure answer sheets of question paper and secured marks by the candidates will be advertised in the newspapers and also will be displayed at Notice Boards.

Since written examination will be conducted so, no extra marks will be given for higher qualification other than required for the particular post. Accordingly division of the marks for the selection will be as hereunder—

(i) 30% marks for total marks obtained by the candidate at minimum required qualification's examination level (for eg-Intermediate).

(ii) 40% marks for written examination (objective type).

(iii) Maximum 15% marks will be allocated for retrenched employee, their marks will be calculated as 5 marks for one year of complete service. For example if one employee (retrenched) served continuously for one year he will get 5 marks and if he served continuously for two years then he will get 10 marks.

(iv) 5% marks for sports will be allotted in the following way :

- (a) For International level sportsmen/women ... 5% marks
- (b) For National level sportsman/woman ... 4% marks
- (c) For State level sportsman/woman ... 3% marks.
- (d) For University/Post graduate College/College level sportsman/women ... 2% marks

(v) 10% marks will be allocated for interview, which will be divided as following—

- (a) 4% marks for Subject/General Knowledge.
- (b) 3% marks for personality.
- (c) 3% marks for expression power.

(vi) After written examination a merit list will be prepared for the marks secured by the candidate from I to IV above mentioned points, then on the basis of merit list four candidates will be called for the interview for each vacant post.

(vii) During interview of the candidate each member of the Interview Committee including Chairman of the Committee will allocate the marks based on above categorization. Total marks obtained in interview will be calculated by adding the separate marks given by the Committee Members. Marks, obtained in qualifying examinations by candidate will not be provided to the Interview Committee to avoid preconception about the candidate.

(viii) After Interview, but before declaration of results the marks obtained by the candidates in written examination and interview will be displayed on the Notice Board.

12) If any candidate wants to look into selection procedure's documents and obtained marks, he can go through by depositing required fee. In case any candidate wants photocopy of the documents, he can get that by depositing Rs. 5/- per copy.

(4) (i) If two or more than two candidates get equal marks, then Selection Committee will prepare merit list according to their date of birth.

(ii) Waiting list will have the total names (25% of total Vacancies) according to merit list. Selection Committee will forward the list of selected candidate's to the appointing authority.

16. Procedure for recruitment by promotion.—(1) Recruitment by promotion shall be made on the basis of seniority subject to rejection of unfit through a Departmental Promotion Committee comprising :

(i) The Chief Executive Officer	Chairman
(ii) Joint Chief Executive Officer in the charge of the establishment	Member
(iii) An officer belonging to Scheduled Castes or Scheduled Tribes nominated by appointing authority	Member
(iv) One technical officer nominated by appointing authority.	Member

Providing that in case there is no member belonging to Backward Class in the Selection Committee an officer belonging to Backward Class shall be nominated by the appointing authority as additional member of the Selection Committee.

(2) The appointing authority shall prepare eligibility list of the candidate in accordance with the Uttar Pradesh promotion by selection (on posts outside the purview of the Public Service Commission) eligibility list Rules, 1986 as amended from time to time and place it before the

Departmental Promotion Committee along with their Character Rolls and such other records pertaining to them as may be considered proper.

(3) The Departmental Promotion Committee shall consider the case of candidates on the basis of the records placed before it and if it considers necessary it may interview the candidates also.

(4) The Departmental Promotion Committee shall prepare a list of selected candidates arranged in order of seniority as it stood in the cadre from which they are to be promoted and forward the same to the appointing authority.

17. Combined select list.—If in any year of recruitment, appointments are made both by direct recruitment and by promotion for any category of post in the service, a combined select list shall be prepared by taking the name of candidates alternatively from the relevant lists in such manner that the prescribed percentage is maintained, the first name in the list being the person to be appointed by promotion.

PART VI—Appointment, Probation, Confirmation, and Seniority

18. Appointment.—(1) Subject to the provisions of sub-regulation (2) the appointing authority shall make appointment by taking the name of candidates in the order in which they stand in the Lists prepared under regulations 15, 16 or 17 as the case may be.

(2) If more than one order 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 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 promotion, names shall be arranged in under regulation 17.

19. Probation.—(1) A person on substantive appointment to a post in the Service shall be placed on probation for a period of two years. In the case of appointment by promotion the period of probation shall be one year.

(2) 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 may 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 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-regulation (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 of the service 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) his work and conduct is reported to be satisfactory;
- (b) his integrity is certified; and
- (c) the appointing authority is satisfied that he is otherwise fit for confirmation.

21. Seniority. —(1) Except as hereinafter provided, the seniority of persons appointed in any category of post in the service shall be determined from the date of the order of substantive appointment and if two or more persons are appointed together, by the order in which their names are arranged in the appointment order:

Provided that if the appointment order specified a particular back date with effect from which a person is substantively appointed, that date will be deemed to be the date of order of substantive appointment and in other cases it will mean the date of issue of the order:

Provided further that, if more than one order of appointments are issued in respect of any one selection, the seniority shall be as mentioned in the combined order of appointment issued under sub-regulation (2) of regulation 18.

(2) The seniority *inter se* of persons appointed directly on the result of any one selection, shall be the same as determined by the Selection Committee:

Provided that a candidate recruited directly may lose his seniority if he fails to join without valid reasons when vacancy is offered to him. The decision of the appointing authority as to the validity of reason shall be final.

(3) The seniority *inter se* of persons appointed by promotion on the result of any one selection shall be the same as it was in the cadre in which they were promoted.

(4) Where appointments are made both by promotion and direct recruitment or from more than one sources and the respective quota of the sources is prescribed, the *inter se* seniority shall be determined by arranging the names in a cyclic order in a combined list, prepared in accordance with regulation 17 in such manner that the prescribed percentage is maintained:

Provided that—

(i) Where appointments from any source are made in excess of the prescribed quota, the persons appointed in excess of quota shall be pushed down, for seniority to subsequent year or year in which there are vacancies in accordance with the quota.

(ii) Where appointments from any source fall short of the prescribed quota and appointment against such unfilled vacancies are made in subsequent year or years, the persons so appointed shall not get seniority of any earlier year but shall get the seniority of the year in which their appointments are made, so however, that in the combined list of that

(See regulations 4 and 22)

Sl. no.	Name of Post	Scales of Pay	No. of Post		Appointing Authority
			Permanent	Temporary	
1	2	3	4		5
GROUP "A" POSTS—					
(1)	Senior Joint Chief Executive Officer	Rs. 12000-375-16500	0	1	1
(2)	(i) Deputy Chief Executive Officer	Rs. 10000-325-15200	1	3	4
	(ii) Deputy Chief Executive Officer (Training).	Rs. 10000-325-15200	0	1	1
	(iii) Deputy Chief Executive Officer (Marketing).	Rs. 10000-325-15200	0	1	1
(3)	Principal Regional Training Centre	Rs. 10000-325-15200	0	3	3
(4)	Chief Chemist	Rs. 10000-325-15200	0	2	2
(5)	Industrial Advisor	Rs. 5000/- Consolidated	0	2	2
GROUP "B" POSTS—					
(A) Administrative Cadre :					
(1)	Officer on Special Duty (Computer)	Rs. 8000-275-13500	0	1	1
(2)	(i) Assistant Director of Industries (Khadi Development).	Rs. 8000-275-13500	1	0	1
	(ii) Assistant Director of Industries (Blanket Scheme).	Rs. 8000-275-13500	1	0	1
					Chief Executive Officer

1	2	3	4	5
	(iii) Assistant Director of Industries (Leather Development Scheme)	Rs. 8000-275-13500	1	Chief Executive Officer
	(iv) Assistant Director of Industries (Hand Made Paper Scheme)	Rs. 8000-275-13500	1	..
(3)	Senior Manager	Rs. 8000-275-13500	0	..
(4)	Assistant Registrar (Co-operative)	Rs. 8000-275-13500	1	..
	(B) Accounts Cadre :			
	Assistant Financial Controller of Industries	Rs. 8000-275-13500	1	..
	(C) Laboratory Cadre :			
	Chemist	Rs. 8000-275-13500	0	..
	SUBORDINATE GROUP "B" POSTS			
	(A) Administrative Cadre :			
	Manager [Khadi and Village Industries]	6500-200-10500 Rs.	1	..
	Village Industries Officer Grade-(1)		39	..
	(B) Prashikshak Cadre :			
	(i) Prashikshak (Khadi)	Rs. 6500-200-10500	0	..
	(ii) Prashikshak (Non Edible Oil and Soap)	Rs. 6500-200-10500	0	..
	(iii) Prashikshak (Fibre)	Rs. 6500-200-10500	0	..

1	2	3	4	5
				Chief Executive Officer
(iv)	Prashikshak (Village Oil)	Rs. 6500-200-10500	0	6
(v)	Prashikshak (Bee Keeping)	Rs. 6500-200-10500	0	7
(vi)	Prashikshak (Pottery)	Rs. 6500-200-10500	0	2
(vii)	Prashikshak (March and Agarbatti)	Rs. 6500-200-10500	0	3
(viii)	Prashikshak (Processing of Cereal Crops and Pulses)	Rs. 6500-200-10500	0	3
(ix)	Prashikshak (Blacksmithy and Carpentry)	Rs. 6500-200-10500	0	3
(x)	Prashikshak (Food Preservation)	Rs. 6500-200-10500	0	2
(xi)	Prashikshak (Bamboo and Cane)	Rs. 6500-200-10500	0	1
(xii)	Prashikshak (Blanket)	Rs. 6500-200-10500	0	1
(xiii)	Prashikshak (Leather)	Rs. 6500-200-10500	0	1
(xiv)	Prashikshak (Hand Made Paper)	Rs. 6500-200-10500	0	1
(C) Palm Gur Cadre :				
(1)	Gur Development Officer	Rs. 6500-200-10500	1	0
(2)	Palm Product Development Officer	Rs. 6500-200-10500	1	0
(D) Account Cadre :				
	Assistant Accounts Officer	Rs. 6500-200-10500	0	2

APPENDIX--H

(See regulations 5 and 8)

Sl. No.	Name of Post	Source of Recruitment	Academic Qualification for Direct Recruitment
1	2	3	4
GROUP 'A'			
(1)	Senior Joint Chief Executive Officer.	By promotion on the basis of seniority subject to rejection of unfit from amongst substantively appointed Chief Chemist, Deputy Chief Executive Officer, who have completed three years service as such, on the first day of the year of recruitment.	--
(2)	(i) Deputy Chief Executive Officer.	By promotion on the basis of seniority subject to rejection of unfit from amongst substantively appointed Senior Managers, Assistant Financial Controller of Industries and Assistant Directors of Industries, Assistant Registrar (Co-operative), Officer on Special Duty (Computer) who have completed three years service, as such, on the first day of the year of recruitment.	--
	(ii) Deputy Chief Executive Officer (Training).	By promotion on the basis of seniority subject to rejection of unfit from amongst substantively appointed Principals Regional Training Centre.	--
	(iii) Deputy Chief Executive Officer (Marketing).	By promotion on the basis of seniority subject to rejection of unfit from amongst substantively appointed Senior Manager and Assistant Director Industries, who have completed three years service, as such, on the first day of the year of recruitment.	--
(3)	Principal Regional Training Centre.	(A) fifty per cent by Promotion on the basis of seniority subject to rejection of unfit from amongst substantively appointed Prashikshak, who have completed five years services as such on the first day of the year of recruitment.	--