

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. 1749/1-9-2007-28L-C/2005, dated August 6, 2007 :

No.- 1749/1-9-2007-28L-C-2005

Dated Lucknow, August 6, 2007

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

THE UTTAR PRADESH LEKHPALS SERVICE RULES, 2006

PART-1 GENERAL

Short title and
commencement

Status of the service

1. (1) These rules may be called the Uttar Pradesh Lekhpals Service Rules, 2006.
- (2) They shall come into force at once.
2. The Uttar Pradesh Lekhpals Service is a subordinate service comprising group 'C' posts.
3. In these rules, unless there is anything repugnant in the subject or context,-

(a) 'Act' means the Uttar Pradesh Public Services (Reservations for Scheduled Castes, Scheduled Tribes and Other Backward Classes) Act, 1994;

(b) 'Appointing Authority' means the Assistant Collector in charge of a subdivision;

(c) 'Board' means the Board of Revenue, Uttar Pradesh;

(d) 'Citizen of India' means a person who is or is deemed to be a citizen of India under Part-II of the Constitution.

(e) 'Commissioner' means the commissioner of Divisions;

(f) 'Constitution' means the constitution of India.

(g) 'Director of Land Records' herein after called the Director means the authority for the time being exercising the powers of the Director of Land Records;

Note- At present the Board of Revenue exercises the powers of the Director.

(h) 'Government' means the State Government of Uttar Pradesh;

(i) 'Governor' means the Governor of Uttar Pradesh;

(j) '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;

(k) 'Other backward classes of Citizens' means the backward classes of citizens specified in Schedule-I of the Act as amended from time to time;

(l) 'Service' means the Uttar Pradesh Lekhpals Service;

(m) '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;

(n) 'Year of recruitment' means a period of twelve months commencing on the first day of July of a calendar year.

PART-II- CADRE

Cadre of Service

4. (i) The strength of the service shall be such as may be determined by the Government from time to time.

(ii) The strength of the service shall, until orders varying the same are passed under sub-rule (1) be as given below :-

Name of post	Number of posts		
	Permanent	Temporary	Total
Lekhpal	27,237	-	27,237

(iii) The cadre of Lekhpals shall be district wise and the district wise allocation of strength will be made by the State Government

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.

Source of recruitment
reservation

PART-III RECRUITMENT

5. Recruitment to a post in the service shall be made by direct recruitment.

Reservation

6. Reservation for the candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories shall be in accordance with the Act and the Uttar Pradesh Public Services (Reservation for Physically Handicapped, Dependents of Freedom Fighters and Ex-Servicemen) Act, 1993, as amended from time to time, and the orders of the Government in force at the time of the recruitment.

PART-IV QUALIFICATIONS

Nationality

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 setting 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 belongs 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) 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 :- 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.

Academic Qualification

8. A candidate for direct recruitment to a post in the service must have passed the Intermediate Examination of the Board of High School and Intermediate Education, Uttar Pradesh or an examination recognised by the Government as equivalent there to.

Preferential qualification

9. A candidate who has-

(i) Served in the Territorial Army for a minimum period of two years; or

(ii) Obtained a "B" certificate of the National Cadet Corps shall, other things being equal, be given preference in the matter of direct recruitment.

Age

10. A candidate for direct recruitment to a post in the service must have attained the age of 18 years and must not have attained the age of more than 35 years on the first day of July of the calendar year in which vacancies for direct recruitment are advertised:

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.

Character

11. 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 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.

Marital status

12. A male candidate who has more than one wife living or 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 Government may, if satisfied that there exist special ground for doing so, exempt any person from the operation of this rule.

Physical fitness

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 a Medical Certificate of fitness in accordance with the rules framed under fundamental rule 10, contained in chapter III of the Financial Hand Book, Volume II, Part III.

PART-V-PROCEDURE FOR RECRUITMENT

Determination of
Vacancies

14. The appointing authority shall determine and intimate to the Selection Committee, the number of 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 the Scheduled Castes, Scheduled Tribes and other categories under rule 6. For making direct recruitment, the vacancies shall be notified in the following manner :-

(i) By issuing advertisement in the daily newspaper having wide circulation :

(ii) By pasting the notice on the notice board of the office or by advertising through Radio/Television and other Employment newspapers; and

(iii) By notifying vacancies to the Employmen Exchange.

Procedure for direct
recruitment

15- (1) For the purpose of recruitment the Board shall constitute a selection Committee comprising :-

(i) An officer not below the rank of Chairman
Appointing Authority

(ii) An officer not below the rank of Member
Appointing Authority belonging to

the Scheduled Castes or Scheduled Tribes. If the Chairman does not belong to the Scheduled Castes or Scheduled Tribes, an officer other than belonging to the Scheduled Castes or Scheduled Tribes or Other Backward Classes shall be nominated by the Board.

(iii) An officer not below the rank of Member
Appointing Authority belonging to the Other Backward Classes, if the

Chairman does not belong to the Other Backward Classes, If the Chairman belongs to the Other Backward Classes, an officer other than Other Backward Classes or Scheduled Castes or Scheduled Tribes shall be nominated by the Board.

- (2) On receiving the number of vacancies of Lekhpals to be filled, the Board shall decide to hold the competitive examination at the Divisional level or any other unit as per the administrative exigencies. The applications shall be invited by the Collector in his district.

(3) The Collector shall scrutinize the applications and require the eligible candidates to appear in a competitive examination.

(4) The application will be submitted by the candidate in the prescribed form, in which a copy of his passport size photograph will be affixed compulsorily. It will also be necessary to enclose with the application self attested copies of mark sheets of High School and Intermediate or an equivalent examination. For candidates belonging to the Scheduled Castes, Scheduled tribes and such other categories for whom vacancies are reserved, it will be necessary to attach a certificate given by the Competent Authority for appearing against the reserved vacancies for such special category under rule 6. The examination fee for the candidates will be payable to the Collector of the district through the Indian Postal Order or Bank Draft and the amount of fee shall be decided by the Board.

(5) The competitive examination shall be conducted under the supervision of the Selection Committee. The competitive examination shall include an objective type written examination and an interview. The objective type written examination shall carry sixty marks, which will include question on General Hindi, Mathematics, General knowledge and topic concerning rural areas. The interview shall carry forty marks.

(6) After the marks obtained by the candidates in the written examination have been tabulated, the Selection Committee shall, having regard to the need for securing due representation of the candidates belonging to

Scheduled Castes, Scheduled Tribes and other categories in accordance with rule 6, call for interview such number of candidates as, on the result of the written examination, have come up to the standard fixed by the Selection Committee in this respect. The marks awarded to each candidate in the interview shall be added to the marks obtained by him in the written examination.

(7) The Selection Committee shall prepare a district wise list of candidates in order of merit as disclosed by the aggregate of marks obtained by them in the written examination and interview. If two or more candidates obtain equal marks, the candidate obtaining higher marks in the written examination shall be placed higher. If two or more candidates obtain equal marks in the written examination also, the candidate senior in age shall be placed higher in the list. The Selection Committee shall forward the list to the respective appointing authority/ authorities.

PART VI- APPOINTMENT, TRAINING, PROBATION, CONFIRMATION AND SENIORITY

Appointment

16. (1) The appointing authority shall make appointment by taking the names of candidates in the order in which they stand in the lists prepared under rule 15.

(2) If more than one order of appointment are issued in respect of anyone selection, a combined order shall also be issued mentioning the names of the persons in order shall also be issued mentioning the names of the persons in order of seniority as determined in the selection.

Training

17. The persons appointed under rule 16 shall join the Lekhpal training School on such date as may be fixed by the Board which shall normally be the first day of July and undergo training for a period of one year.

Qualifying Examination

18- (1) At the end of the training session, a qualifying examination shall be held, arrangements for which shall be made by the Board.

(2) Principal of the school shall assess the work and conduct of each trainee on the basis of the

attendance, monthly tests, conduct and discipline for which twenty percent of the total marks fixed for qualifying examination shall be earmarked and the marks obtained by the trainees in this regard will be added to the marks obtained in the qualifying examination.

(3) No trainee shall ordinarily be allowed to appear at the qualifying examination unless he has attended the class for at least eighty percent of the days on which the school was open during the session. The Board may, however, suitably relax this condition in exceptional cases.

(4) If a trainee fails at the qualifying examination, he may be allowed additional two chances to pass the examination in the subject in which he has failed in the qualifying examination. If a trainee, after availing the said additional chances, still fails in the qualifying examination, he shall be treated unfit for the service.

(5) All the trainees who have completed the training successfully, shall receive a certificate to that effect from the school.

(6) At each session the Board shall nominate an officer to work as Superintendent of the qualifying examination. The Superintendent in his turn shall appoint invigilators who shall report to him the cases of misconduct including use of unfair means or attempts, if any, on the part of the examinees during the examination. The Superintendent may in his discretion either debar the examinee from further examination or order for deduction of marks obtained by him in the particular paper. Before doing so on the ground of misconduct including unfair means the Superintendent shall afford full opportunity of showing cause against the action proposed to be taken. The examinee may file an appeal before the Board against the action taken by the Superintendent. The decision of the Board shall be final and binding in this regard.

19. (1) A person on substantive appointment to a post 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 circumstance, the period of probation shall not be extended beyond one year and in no circumstance 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 or probation that probationer has not made sufficient use of his opportunities, 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.

Confirmation

20. A probationer shall be confirmed in his appointment at the end of the period of probation or the extended Period of probation, if -

(a) He has successfully undergone the prescribed training;

(b) He has passed the prescribed qualifying examination;

(c) His work and conduct is reported to be satisfactory;

(d) His integrity is certified; and

(e) The appointing authority is satisfied he is otherwise fit for confirmation.

PART VII-PAY ETC.

Scale of pay

22. (1) The scale of pay admissible to persons appointed to a post in the service shall be such as may be determined by the Government from time to time.

(2) The scale of pay at the time of the commencement of these rules is Rs. 3050-75-3950-80-4590.

Pay during probation

23. (1) 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, has undergone training and passed the qualifying examination and second increment after two years service when he has completed the probationary period and is also confirmed.

(2) The pay during probation of a person who was already holding a post under the Government shall be regulated by the relevant fundamental rules.

(3) The day during probation of a person already in permanent Government service shall be regulated by the relevant rules, applicable generally to Government servants serving in connection with the affairs of the state.

PART VIII-OTHER PROVISIONS

24. (1) The Collector of the district may at his discretion transfer a Lekhpal from one sub-division to another sub-division within the district and the Assistant Collector in-charge of a sub-division may transfer a Lekhpal within the sub-division from one halqa to another halqa.

(2) when any tract is under survey, record or settlement operation or under the operation for consolidation of holdings, the transfer of a Lekhpal outside the area under the aforesaid operations shall not be made by the appointing authority or the Assistant Collector without consulting the Records or Settlement Officer of the Consolidation, as the case may be.

25. Each member of the service shall be supplied with such survey instruments as may be specified from time to time. The maintenance and disposal of these instruments will be regulated by executive orders.

26. The Lekhpal shall reside within his halqa unless he has obtained permission of the Collector to reside outside it.

Note:- The principles to be followed in allowing exemption and in dealing with absentees are laid down in paragraph 538-544 of the Land Records Manual.

27. No recommendations, either written or oral, other than those required under the rules applicable to the post or 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

Transfer

Survey Instruments

Obligation of residence

Canvassing

Regulation of other

appointment.

28. In regard to the matters not specifically covered by matters these rules or special orders, persons appointed to the service shall be governed by the rules, regulations and order applicable generally to Government servants serving in connection with the affairs of the State.

Relaxation from the
conditions of service

29. 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, not with standing any thing 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.

Saving

30. Nothing in these rules shall affect reservations and other concessions required to be provided for the candidates belonging to the Scheduled Caste, Scheduled Tribes and other special categories of persons in accordance with the orders of the Government issued from time to time in this regard.

By order,
S.R. LAKHA,
Pramukh Sachiv.