

THE UTTARAKHAND STATE CONSUMER DISPUTES REDRESSAL COMMISSION
AND DISTRICT FORUM EMPLOYEES SERVICE RULES, 2012

Part – I

General

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| Short title and commencement | 1. (1) These rules may be called the Uttarakhand State Consumer Disputes Redressal Commission and District Forum Employee Service Rules, 2012. |
| Status of the Service | (2) These shall come into force at once.
2. The Uttarakhand State Consumer Disputes Redressal Commission and District Forum Employee Services is a such service of Minister cadre comprises of Group “C” posts. |
| Definitions | 3. In these rules, unless there is anything repugnant in the subject or context-
(a) “Appointing Authority” means the Registrar, State Commission;
(b) “Citizen of India” means a person who is or deemed to be a citizen of India under Part-II of “the Constitution of India” ;
(c) “Constitution” means “the Constitution of India” ;
(d) “Government” means the State Government of Uttarakhand;
(e) “Governor” means the Governor of Uttarakhand;
(f) “Member of Service” means a person appointed under these rules or orders in force prior to the commencement of these rules to a substantive post in the establishment;
(g) “Service” means Uttarakhand State Consumer Disputes Redressal Commission and District Forum Employees Service;
(h) “State Commission” means Uttarakhand State Consumer Disputes Redressal Commission;
(i) “District Forum” means District Consumer Disputes Redressal Forum;
(j) “Substantive Appointment” means an appointment on a post in the service and which is not <i>an adhoc</i> appointment and is made 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; |

(k) “**Year of Recuritment**” means a period of twelve months commencing from the 1st day of July of calendar year.

PART – II

CADRE

Cadre Of Service

4. (1) The strength of the service of each category of posts there in shall be such as may be determined by the Government from time to time.
- (2) The strength of the service shall until orders varying the same are passed under sub-rule (1) be given in the **Appendix “A”** :
- Provided that-
- i. the appointing authority may leave unfilled or may hold in abeyance any vacant post, without there by entitling any person to compensation;
 - ii. the Governor may create such additional permanent or temporary posts as he may consider proper;
 - iii. the cadre for the State Commissions employees and District Forum’s employees shall be separate and they shall not inter transferable. The employees of the District Forum shall be inter-transferable in district.

PART – III

RECRUITMENT

Source of

Recruitment

5. Recruitment to the various categorizes of post in the service shall be made from the following sources:-
- a) **Personal Secretary**– by promotion on the basis of seniority rejection of unfit through the Selection Committee from amongst substantively appointed such Personal Assistants, who have completed at least 05 years of service as such on the first day of the year of recruitment;
 - b) **Personal Assistant** – by promotion on the basis of seniority rejection of unfit through the Selection Committee from amongst substantively appointed such Stenographers, who have completed at least 12-15 years of service as such on the first day of the year of recruitment;

(C) Administrative Officer – by promotion on the basis of seniority rejection of unfit through the Selection Committee from amongst substantively appointed such Senior Assistant who have completed at least 05 years of service as such on the first day of the year of recruitment;

(d) Chief Assistant – by promotion on the basis of seniority rejection of unfit through the Selection Committee from amongst substantively appointed such Upper Assistant who have completed at least 05 years of service as such on the first day of the year of recruitment;

(e) Upper Assistant – by promotion on the basis of seniority rejection of unfit through the Selection Committee from amongst substantively appointed such Junior Assistant who have completed at least 05 years of service as such on the first day of the year of recruitment;

(f) Accountant – by promotion on the basis of seniority rejection of unfit through the Selection Committee from amongst substantively appointed such Assistant Accountant, who have completed at least 05 years of service as such on the first day of the year of recruitment;

(g) Assistant Accountant – by direct recruitment;

(h) Stenographer – by direct recruitment'

(i) Upper Assistant – by promotion on the basis of the seniority rejection of unfit through the Selection Committee from amongst substantively appointed such Junior Assistant in District Foras who have completed at least 05 years of service as such on the first day of the year of recruitment;

(j) Junior Assistant

(i) 75 percent by direct recruitment.; (ii) 15 percent bt promotion according the Provisions of Subordinate Offices Ministerial Employees Services (Direct Recruitment) (Amendment) Rules, 2008 of Personal Department, on the basis of preferency from amongst substantively appointed such Personnel of group 'D', who have passed High School Examination and who have completed at least 05 years service as such on the first day of the year of recruitment;

(iii) 10 percent by promotion according the Provisions of Subordinate Offices Ministerial Cadre Employees Services (Direct Recruitment) (Amendment) Rules 2008 of personnel Department, on the basis of preferency from amongst substantively appointed such Personnel of group – D, who have passed Intermediate Examination and who have completed at least 05 years service as such on the first day of the year of recruitment.

Reservation

6. Reservation for the candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories of the State of Uttarakhand shall in accordance with the orders of the Government in force at the time of recruitment.

PART – IV**Qualifications****Nationality**

7. A candidate for direct recruitment to a post in the service must be:-
- a citizen of India; or
 - the Tibetan refugee who came to India before Jan 1st, 1962 with the intention of permanently settling in India; or
 - a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka or any of the East African Countries of Kenya, Uganda and United Republic Tanzania (formerly Tanganyika and Zanzibar) with the intention of permanently settling in India;
- Provided that a candidate belonging to category (b) and (c) above must be a person in whose favour a certificate of the eligibility has been issued by the State Government;
- Provided further that a candidate belonging to category (b) will be required to obtain a certificate of eligibility granted by Deputy Inspector General of Police, Intelligence Branch, Uttarakhand.
- Provided also that if candidate belongs to category (c) no certificate of eligibility will be issued for a period of more than one year and retention of such candidate in service beyond the period of one year shall be subject to his acquiring Indian citizenship.

**Academic
Qualification**

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 provisionally appointed, subject to the necessary certificate being obtained by him or issued in his favour.

8. A candidate for the post of Junior Assistant cum Computer Operator and Stenographer for direct recruitment must be as follows:-

(1) **Junior Assistant -**

(a) Passed Intermediate Examination of the Board of Uttarakand Vidyalayee Shiksha Evam Pariksha Parishad, Ramnagar/Uttar Pradesh Madhyamik Shiksha Parishad.

(b) Speed of 4000 KDPH in Hindi typing on computer.

(2) (i) **Stenographer (State Commission)-**

(a) Passed Intermediate Examination of the Board of Uttarakand Vidyalayee Shiksha Evam Pariksha Parishad, Ramnagar/Uttar Pradesh Madhyamik Shiksha Parishad or examination passed equivalent to recognized by the Government;

(b) 100 in English Stenography, Stenography bi-languag (English and Hindi) and 80 words KDPH in Hindi and English on computer and speed of 5000 and 4000 KDPH respectively in Hindi Typing and knowledge of M.S. Office is must be compulsory.

(2) (ii) **Stenographer (District Fora)-**

(a) Passed Intermediate Examination of the Board of Uttarakand Vidyalayee Shiksha Evam Pariksha Parishad, Ramnagar/Uttar Pradesh Madhyamik Shiksha Parishad or examination passed equivalent to recognized by the Government;

(b) 80 words KDPH in Hindi Stenography and 4000 KDPH in Hindi typing and knowledge of M.S. Office is must be compulsory.

(3) **Assistant Accountant**

Commerce with Accountancy subject from a University or any recognized institution or Post-Graduation Diploma in Accountancy with 'O' level certificate, which speed of 4000 key-depression per hour on computer must be necessary.

- Preferential Qualifications** **9.** A candidate, who has–
 (i) served in the territorial army service for a minimum period of two years;
 (ii) obtained “B” Certificate in National Cadet Corps;
 (iii) knowledge of English typing on computer;
 shall other thing being equal, be given preference in the matter of direct recruitment.
- Age** **10.** Such posts, whose educational qualification is Intermediate or equivalent to, for the direct recruitment, the minimum age shall be 18 years and whose education qualification is graduation shall be minimum 21 years and maximum 35 years;
 Provided, that the upper age limit in the case of candidates belonging to the Scheduled Castes, Scheduled Tribes and such other categorie to the State of Uttarkhand, as may be notified by the Government from time to time, shall be more 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 him on this point.
Note- Persons dismissed by the Union Government or any State Government or by a local authority or any corporation or organization or body owned or controlled by the Union Government or a State Government shall be ineligible for appointment to any post in the services. Persons convicted of any offence involving moral turpitude shall also be ineligible.
- Marital Status** **12.** A male candidate, who have more than one living wife or femal candidate, who has married a men already having a living wife, shall not be eligible for appointment in the service;
 Provided that the Government may, if satisfied that there exists a specific ground for doing so, exempt any person from the operation of this rule.
- Physical Fitness** **13.** No candidates shall be appointed to a post in the service unless he is in good mental physical health and free from any physical defect likely to interfere with efficient performance of his duties.

Before a candidate finally approved for appointment, he shall be required to pass an examination by a Medical Board, as per provision of rules framed under the fundamental rule 10 of financial Hand Book Volume II part-III, Chapter- III :

Provided that the medical certificate of fitness shall not be required from a candidate recruited by promotion.

Part – V

Procedure For Recruitment

Determination of 14. vacancies

The appointing authority shall determine the number of vacancies to be filled in by direct recruitment during the year and also the number of vacancies to be reserved for candidates belonging to Scheduled Castes, Scheduled Tribes and other categories to the State of Uttarakhand under Rule-6.

Procedure for direct 15. recruitment on the post of Junior Assistant, Stenographer and Assistant Accountant.

(1) The application form for direct recruitment shall be published by the Appointing Authority, in at least two daily newspapers having wide circulation.

(2) The Appointing Authority, shall invite the applications for direct recruitment, in the form published under sub-rule (1) and notify the vacancies in the following manner :-

(i) by issuing advertisement in daily newspapers 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 the vacancies to the Employment Exchange.

(3) The application form shall not be published again while notifying the vacancies under sub-rule (2);

(4) (i) there shall be written objective type examination carrying 100 marks for selection of the posts of direct recruitment of Stenographer and Junior Assistant.

(ii) (a) a single question paper shall be conducted which including General Hindi, General Knowledge and General Studies in the written test.

(b) there shall be a written examination of objective type caring total 200 marks for the selection of the post of Assistant Accountant. Prefency list shall be prepared on the basis of total marks obtained in written examination and other evolution;

- (c) first question paper carrying 100 marks out of 200 marks of written examination shall be objective type, which a question paper based on a level of educational qualification and syllabus of subject;
- (d) second question paper of objective type carrying 100 marks on computer, a level 'O' certificate;
- (e) in evaluation of question paper, one marks shall be awarded for each correct answer and 1/4 negative mark shall be awarded for each wrong answer;
- (f) after the examination is over the candidates shall be allowed to carry back the Question Booklet of the written examination with them;
- (g) the Answer Sheet of the written examination shall be duplicate including the carbon copy and the candidate shall be permitted to carry back the duplicate copy with him;
- (h) after the written examination, the answer key of the written examination shall be displayed on the Uttarakhan website www.ua.nic.in or published in daily newspaper having wide circulation;
- (i) the minimum speed fixed for typing shall be 4000 KDPH, 100 words per minutes for shorthand in English, 80 words per minutes for shorthand in English, 80 words per minutes for shothand in Hindi for the candidate successful in the written test. The above examination shall carry 50 marks. The marks shall be awarded only to those candidates who have attained minimum prescribed speed. The number of candidate to be called for typewriting or shorthand and typewriting examination shall be four times the number of vacancies. The candidates shall be called for the test in typing or shorthand in order of the merit based on marks obtained in written test and other evaluation.

(j) if the number of successful candidates in the typewriting test is more than the vacancies, the result shall be declared on the basis of the merit list;

(k) if the number of successful candidates in the typerwriting test is less than the vacancies, the proceeding for appointment of them shall be start. For the remaining vacancies typewriting test may arranged for the next candidates already called for typewriting test from the list of the candidates arranged on the basis of the marks obtained in the written examination and other evaluations in the ratio of 1:4 and successful candidates may be selected in accordance with the rules. This process shall be continued till the prescribed number of candidates with minimum prescribed speed is available;

(l) in case ratio of the number of candidates, for the post is less than 1:4 all the candidates appeared for the written examination may be called for typewriting or shorthand and typewriting test. The candidates attaining minimum prescribed speed may be included in the final select list. In case none of the candidates is able to attain the minimum speed and no candidate is further available, the vacant post shall be carried forward.

The merit list (Final Selection List) shall be prepared in order of their proficiency the aggregate of marks, obtained in the written examination and other evaluations including preferential marks for the retrenched empyoee and the marks of typewriting examination or shorthand and typewriting examination, as the case may be. If two or more candidates obtained equal marks in aggregate, the candidate obtaining more marks in the written examination shall be placed higher in the selection list. In case two or more candidates obtained equal marks in the written examination also, the candidate senior in age shall be placed higher in the selection list. The number of the names in the list shall be more (but more than 25%) than the number of vacancies.

- The preferences list prepared in the above manner shall be forwarded to the appointing authority with recommendation of the Selection Committee and the appointing authority shall issue appropriate appointment orders.
- Display and Publication of the correct answers and marks obtained by the candidate.** **15.1** When the selection process is completed and the select list has been forwarded to the Appointing Authority then the aggregate of marks obtained by the selected candidates in the test for selection and makes of typewriting or shorthand/ typewriting shall be published in the daily newspapers and displayed on the official website of Uttarakhand and the notice board of the district office and office concerned. The aggregate of marks (classifying the marks obtained in written test and marks of typing and shorthand and typewriting as the case may be) along with maximum marks by all the candidates shall be the case published in the Uttarakhand website in descending order.
- 16. Constitution of the Selection Committee.** **16.** The direct recruitment shall be made through a selection committee which comprises as follows:-
- (i) 'appointing authority' - **Chairman**
 - (ii) any officer of Scheduled Castes or of Scheduled Tribes, nominated by the appointing authority. If the Chairman is belong to Scheduled Castes or Scheduled Tribes. If the Chairman is belong to Scheduled Castes or Scheduled Tribes or Other Backward Classes then the Chairman shall nominate any officer other than the Scheduled Castes, Scheduled Tribes or Other Backward Classes - **Member**
 - (iii) any officer of Other Backward Classes nominated by the appointing authority. If Chairman is not belong to Other Backward Classes. If the chairman is beong to Other Backward Classes, then the Chairman shall nominate any officer other than Scheduled Castes, Scheduled Tribes or Other Backward Classes. - **Member**

(iv) An officer nominated by the District Magistrate of the concerning District. - **Member**

Procedure of promotion through a selection committee on the posts of Personal Secretary, Personal Assistant, Administrative Officer, Reader, Nazir, Computer Operator/Upper Divisional Assistant, Accountant and Junior Assistant.

17. (1) The promotion shall be made on the basis of given measurement through selection committee constituted according the provisions of the Uttarakhand Constitution of Departmental Promotions Committee (for Posts Outside the Purview of the Public Service Commission) Rules, 2002 as amended from time to time :
- Provided that if in the such constituted selection committee, the concerning person of each of Scheduled Castes/Scheduled Tribes and Other Backward Classes in not incorporate, than such Castes or Tribes and Classes, who have not representation in the Selection Committee, from any concerning Officer, who is not less than the rank of the Joint Secretary shall be nominated as member of the selection committee.
- (2) The provisions for promotion in the posts of the Uttarakhand Government Servants (Criterion for Recruitment by Promotion) Rules, 2004 shall be applicable.
- (3) The appointing authority shall prepare an eligibility list of the candidates and place before the selection committee alongwith there character roles and such other records, pertaining to them, as may be considered proper.
- (4) The selection committee shall consider the candidate on the basis of there records refer to in sub-rule (3), and if it considers necessary, it may interview the candidate also.
- (5) The Selection Committee shall prepare a list of selected candidates arranged in ordered of seniority and forward the same to the Appointing Authority:
- Provided that under the sub-rule (1) or under this rule on the time of preparation of eligibility list, where shall be two different feeding cadre, there shall be :-
- (a) regarding different pay-scale, the candidate of higher pay scale shall be placed higher in the eligibility list.
- (b) regarding equal pay scale, the candidate shall be placed in order of date of substantive appointment in his cadre.

Note:- The Provisions for Promotion (Outside the Purview of Public Service Commission) the Uttarakhand Constitution of Departmental Promotion Committee on the Basis of Seniority and Merit Subject to the Rejection of Unfit in the Government Services Procedure Rules, 2009 shall be applicable.

PART – VI

Appointment, Probation, Confirmation and Seniority

- | | | |
|-----------------------------|------------|---|
| Joint Selection List | 18. | <p>There will be following members in Joint Select List:-</p> <ul style="list-style-type: none"> (i) appointing authority - President (ii) any officer of Scheduled Castes or of the Scheduled Tribes, nominated by the appointing authority - Member (iii) any officer of Other Backward Classes nominated by the appointing authority - Member (iv) any member having sufficient knowledge in the field of eligibility expected from the post to be filled. - Member |
| Appointment | 19. | <p>(1) Subject to the provision of sub-rule (2) the appointing authority shall make appointments by taking the names of candidates in the order in which they stand in the lists prepared under rules 15, 16, 17 or 18, as the case may be.</p> <p>(2) Where, in any year of recruitment, appointments are to be made both by direct recruitment and by promotion, regular appointments shall not be made unless selection are made from the both the sources and according rule- (3), till a combined list is prepared in accordance with rule 18.</p> <p>(3) If more than one order of appointment is issued in respect of any one selection, a combined order shall also be issued mentioning names of the persons in the 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.</p> |
| Probation | 20. | <p>(1) A person substantively appointed to a post in the service shall be placed on probation for a period of two years.</p> <p>(2) The appointing authority may, for reasons to be recorded, extend the period of probation in individual cases specifying the date up to which it is extended.</p> <p>Provided that except in exceptional circumstances the period of probation shall not be extended beyond one year, and in no circumstances two years.</p> |

- (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 be dispensed with.
- (4) A probationer person, 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 a post included in the cadre or any other equivalent or higher post to be taken into account for purpose of computing the period of probation.
- Confirmation** **21.** A person under probation shall be confirmed in his appointment on the expiry of the probation period or the extended probation periods, if-
- (a) His work and conduct is respond to be satisfactory;
- (b) His integrity is certified; and
- (c) The appointing authority is satisfied that he is otherwise fit to be confirmed;
- (d) he has passed the prescribed Departmental Examination, if any.
- Seniority** **22.** (1) The seniority of any person shall be fixed according the Uttarakhand Government Servant Seniority Rules, 2002. If two or more persons to be appoint together then the Seniority shall be fixed as there name is serialized in his appointment order:
- Provided that if the appointment order specifies as particular back date with effect from which a person is to be appointed substantively that date will be deemed to be the date of order of substantive appointment. In other cases it will mean the date of issue of the order :
- Provided further that if more than one order of appointment is issued in respect of any one selection the seniority shall be as metioned in the combined order of appointment issued under sub-rule (3) or Rule-18.

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

Provided that candidate recruitment directly may lose his seniority if he fails to join without valid reason when vacancy is referred to him.

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

(4) Where appointments are made both by promotion and direct recruitment or from more than one source and the respective quota of the sources is prescribed *inter se* seniority shall be determined by arranging the names in a cyclic order in a combined list, prepared in accordance with Rule-18, 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, from seniority, to subsequent year or years in which there are vacancies in accordance with the quota;
- (ii) where appointments from any source fall short of the prescribed quota and appointments against such unfilled vacancies are made in the 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 year, to be prepared under this Rule, their names shall be placed under this Rule, their names shall be placed at the top followed by the names, in the cyclic order, of the other appointments;
- (iii) where, in accordance with the rules or prescribed procedure, the unfilled vacancies from any source could, in the circumstances mentioned in the relevant rules or procedure be filled from the other source and appointment in excess of quota are so made, the persons so appointed shall get the seniority of that very year as if they are appointed against the vacancies quota.

- Transfer** **27.** The appointing authority may transfer as necessity in the area/districts in his under the control.
- Relaxation in the
Conditions of
Services** **28.** Where the State Government is satisfied that the operation of any rule regulating the conditions of service of persons appointed to the Service cause 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 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)** **29.** Nothing in these rules shall affect reservations and other concessions required to be provided for the candidates belonging to the Scheduled Castes, Scheduled Tribes, Other Backward Classes and other special categories of persons to the State of Uttarakhand in accordance with the orders of the Government issued from time to time in this regard.

Appendix "A"
State Commission

S. no.	Designation	Number of Posts
1	2	3
1	Personal Secretary	01
2	Personal Assistant	02
3	Administrative Officer	01
4	Accountant	01
5	Senior Assistant	01
6	Assistant Accountant	01
7	Stenographer	01
8	Upper Assistant	01
9	Junior Assistant	02
	Total	11

District Forum

S. no.	Designation	Number of Posts
1	Computer Operator/Upper Assistant	13
2	Stenographer	13
3	Junior Assistant	13
	Total	39

Appendix "B"**[See sub-rule (2) of rule 4 and sub-rule (2) of rule 23]****State Commission**

S. No.	Designation	Number of Posts	Pay scale (in T)
1	2	3	4
1	Personal Secretary	01	9300-34800-4200
2	Personal Assistant	02	9300-34800-4200
3	Administrative Officer	01	9300-34800-4200
4	Accountant	01	9300-34800-4200
5	Senior Assistant	01	5200-20200-2800
6	Assistant Accountant	01	5200-20200-2800
7	Stenographer	01	5200-20200-2400
8	Upper Assistant	01	5200-20200-2400
9	Junior Assistant	02	5200-20200-1900

District Forum

S. No.	Designation	Number of Posts	Pay scale (in T)
1	Computer Operator/ Upper Assistant	13	5200-20200-2400
2	Stenographer	13	5200-20200-2400
3	Junior Assistant	13	5200-20200-1900

**By Order,
SUBHARDHAN
Secretary**