

Uttar Pradesh Recruitment Of Dependants Of Government Servants (Dying-In-Harness) Rules, 1974

CONTENTS

1. Short title and commencement
2. Definitions
3. Applications off the rules
4. Overriding effect of these rules
5. Recruitment of a member of the family of the deceased
6. Contents of application for employment
- 7 . Procedure when more than one member of the family seeks employment
8. Relaxation from age and other requirements
- 9 . Satisfaction of appointing authority as regards general qualifications
10. Power to remove difficulties

Uttar Pradesh Recruitment Of Dependants Of Government Servants (Dying-In-Harness) Rules, 1974

1. Short title and commencement :-

- (1) These rules may be called the Uttar Pradesh Recruitment of Dependents of Government Servants Dying in Harness Rules, 1974.
- (2) They shall be deemed to have come Into force with effect from December 21, 1973.

2. Definitions :-

In these rules, unless the context otherwise requires :

- (a) "Government servant" means a Government servant employed in connection with the affairs of Uttar Pradesh, who-
 - (i) was permanent in such employment; or
 - (ii) though temporary had been regularly appointed in such employment; or
 - (iii) though not regularly appointed, had put in three years continuous service in regular vacancy in such employment.

Explanation.-"Regularly appointed" means appointed in accordance with the procedure laid down for recruitment to the post or service, as the case may be;

- (b) "deceased Government servant" means a Government servant who dies while in service;
- (c) "family" shall include the following relations of the deceased Government servant:
- (i) Wife or husband;
 - (ii) Sons: ...
 - (iii) Unmarried and widowed daughters;
- (d) "Head of Office" means Head of Office In which the deceased Government servant was serving prior to his death.

3. Applications off the rules :-

These rules shall apply to recruitment of dependants of the deceased Government servants to public services and posts in connection with the affairs of State of Uttar Pradesh, except services and posts which are within the purview of the Uttar Pradesh Public Service Commission.

4. Overriding effect of these rules :-

These rules and any orders issued thereunder shall, have effect notwithstanding anything to the contrary contained In any rules, regulations or orders in force at the commencement of these rules.

5. Recruitment of a member of the family of the deceased :-

I n case a Government servant dies in harness alter the commencement of these rules, one member of his family who is not already employed under the Central Government or a State Government or a Corporation. owned or controlled by the Central Government or a State Government shall, on making an application for the purpose, be given a suitable employment in Government service which is not within the purview of the State Public Service Commission in relaxation of the normal recruitment rules, provided such member fulfils the educational qualification prescribed for the post and is also otherwise qualified for Government service. Such employment should be given without delay and, as far as possible, in the same department in which the deceased Government servant was employed prior to his death.

6. Contents of application for employment :-

A n application for appointment under these rules shall be addressed to the appointing authority in respect of the post for

which appointment is sought but it , shall be sent to the Head of Office where the deceased Government servant was serving prior to his death. The application shall, inter alia. contain the following information :

- (a) the date of the death of the deceased Government servant; the department in which he was working and the post which he was holding prior to his death;
- (b) names, age and other details pertaining to all the members of the family of the deceased, particularly about their marriage, employment and income:
- (c) details of the financial condition of the family; and
- (d) the educational and other qualifications, if any, of the applicant.

7. Procedure when more than one member of the family seeks employment :-

If more than one member of the family of the deceased Government servant seeks employment under these rules, the Head of Office shall decide about the suitability- of the person for giving employment. The decision will be taken keeping In view also the overall interest of the welfare of the entire family; particularly the widow and the minor members thereof.

8. Relaxation from age and other requirements :-

- (1) The candidate seeking appointment under these rules must not be less than 18 years at the time of appointment.
- (2) The procedural requirements for selection, such as written test or Interview by a selection committee or any other authority, shall be dispensed with, but it shall be open to the appointing authority to interview the candidate in order to satisfy itself that the candidate will be able to maintain the minimum standards of work and efficiency expected on the post.
- (3) An appointment under these rules shall be made against an existing vacancy only.

9. Satisfaction of appointing authority as regards general qualifications :-

Before a candidate is appointed the appointing authority shall satisfy itself that:

- (a) The character, of the candidate is such as to render him suitable in all respect for employment in Government service;

Note.-Persons dismissed by the Union Government or by any State Government or by a Local Authority or a Corporation owned or controlled by the Central Government or State Government shall be deemed to be ineligible for appointment to the service..

(b) He is in good mental and bodily health and free from any physical defect likely to interfere with the efficient performance of his duties, for which the candidate shall be required to appear before the appropriate medical authority and to produce a certificate of fitness in accordance with the rules applicable to the case; and

(c) In the case of a male candidate, he has not more than one wife living and in the case of a female candidate, she has not married a person already having a wife living.

10. Power to remove difficulties :-

The State Government may, for the purpose of removing any difficulty (of the existence of which it shall be the sole judge) in the implementation of any provision of these rules, make any general or special order as it may consider necessary or expedient in the interest of fair dealing or in the public interest.