

**The Uttarakhand Public Service Commission
(Procedure and Conduct of Business) Rules-2013**

PREAMBLE

In the light of important orders of Hon'ble Courts and the Uttarakhand Information Commission passed from time to time on various issues pertaining to the selection procedure of the Commission, as also policy decisions taken by the Commission, and for better use of information and communication technology, it has become expedient to re-enact the Uttarakhand Public Service Commission (Procedure and Conduct of Business) Rules, 2007 keeping in view current needs and for bringing in more transparency, fairness and excellence in the work procedure.

In pursuance of the provisions of sub Section-1 of Section-11 of The Uttar Pradesh Public Service Commission (Regulation of Procedure) Act-1985 (UP Act No. 23 of 1985), (Uttarakhand Adaptation and Modification Order-2002) the Uttarakhand State Public Service Commission hereby formulates the following Rules, namely;

CHAPTER - 1

TITLE 1- These Rules may be called the “The Uttarakhand Public Service Commission (Procedure and Conduct of Business) Rules-2013.”

2- These Rules shall supersede all rules in force prior to these rules and shall come into force from 01 February, 2013

DEFINITION

3- In these Rules, unless the context otherwise requires, the following terms shall have the meanings assigned to them against each:-

- (1) “Act” means The Uttar Pradesh Public Service Commission (Regulation of Procedure) Act, 1985 (UP Act No. 23 of 1985) (Uttarakhand Adaptation and Modification Order-2002)
- (2) “Allocation” means allocation of business of the Commission among the Members (including Chairman) as ordered by the Chairman from time to time.
- (3) “Answer Book” means the answer sheets of Main /Written /Preliminary/ Screening Examination or Test.
- (4) “Board” means a Board constituted by the Chairman for the purposes of holding Interviews of Candidates.
- (5) “Chairman” means the Chairman of the Commission appointed as such under Article 316(1) of the Constitution of India and includes any Member appointed under Art. 316 (1A) to perform the duties of the Chairman.
- (6) “Commission” means the Chairman and collectively all other Members of the Uttarakhand Public Service Commission.
- (7) “Committee” means a Committee constituted by the Commission/ Chairman from amongst its Members.
- (8) “Controller of Examinations” means an officer appointed by the State Government from time to time or authorized under Section 8 of the Act as Controller of Examinations.

- (9) “Examination” means preliminary/screening examination, Main/written examination or interview or any other test conducted by Uttarakhand Public Service Commission.
- (10) “Examiner” means a subject expert appointed by the Commission for the evaluation of the answer books or sheets and also includes Chief Examiner, Head Examiner, Joint Examiner and Co-Examiner.
- (11) “Government” means the Government of Uttarakhand.
- (12) “Initiating Member” means the Member who proposes a discussion on any matter or to whom the file is first sent for his/her opinion/orders in accordance with the allocation of business.
- (13) “Interview” includes Personality test/ Viva-voce.
- (14) “Member”: means a person appointed as Member of the Commission under Article 316(1) of the Constitution of India and also includes the Chairman.
- (15) “Mode of Submission of Application Form” includes submission of Application Form by a Candidate to the Commission by hand(under receipt), through courier or dak or online.
- (16) “Multiple Board” means more than one Board constituted by the Chairman for holding interview of candidates for selection to one particular post.
- (17) “Multiple Member Board” means an Interview Board in which more than one Member is nominated by the Chairman.
- (18) “Office” means the office of the Commission.
- (19) “Officer” means the Secretary, Controller of Examination, Addl. Secretary Law, Joint Secretary, Finance Controller, Deputy Secretary and Under Secretary of the Commission.

- (20) “Online Submission of Application Form” means submission of Application Form by a candidate to the Commission through internet in the manner prescribed and publicized by the Commission on its website and/or through print/electronic media.
- (21) “Order of Distribution of Work” means the order of distribution of work among Officers and staff as approved by the Chairman from time to time.
- (22) “Presiding Member” means Member who presides over the meeting of the Commission in the absence of the Chairman.
- (23) “Secretary” means Secretary of the Commission as appointed from time to time by the Govt. and includes an officer authorized by the Commission or Chairman to perform all or any of his functions under the provisions of the Act.
- (24) “Senior Member” in relation of other Members means such Member in respect of whom the order of appointment by the Governor was issued at an earlier date and if the date of order is the same, the member whose name stands higher in order, and if the date of order is same and there is no common order of appointment, the Member who is older in age.
- (25) “Senior Most Member” means the Member who is senior most in relation to all other members generally.
- (26) “Single Member Board” means an Interview Board in which only one Member is nominated by the Chairman.
- (27) “Staff” means Section Officers and other Personnel of the staff.
- (28) “Website” means The Uttarakhand Public Service Commission Website
i.e. www.ukpsc.gov.in

CHAPTER – II

**MEETINGS,
AGENDA &
DECISIONS**

4- Unless otherwise decided by the Commission, the Meetings of the Commission shall ordinarily be held on Thursday and, if it happens to be a non-working day, on the working day immediately preceding Thursday.

(1) The Meeting of the Commission shall be held at least once in a month, at the office headquarter.

(2) Emergency Meetings of the Commission may be held at short notice on any day under orders of the Chairman.

AGENDA

(3) (a) Notice of the Meeting shall be issued by the Secretary;

(b) The notice of the Meeting shall, as far as it is possible, be accompanied by an Agenda with a brief description of each item in the Agenda of the Meeting;

(c) The Agenda with a brief description shall be sent to the Private Secretaries/ Addl. Private Secretary to the Members at least two days in advance after the same have been approved by the Chairman, who shall ensure that no important items suggested by Members, for discussion, and matter on which the orders of the Commission have to be sought have been omitted from inclusion in the Agenda.

QUORUM

(4) Quorum for a meeting of the Commission shall be one half of the total number of the Members of the Commission including the Chairman for the time being; Provided that no quorum shall be necessary for a Meeting adjourned for want of quorum.

(5) The Chairman shall preside over the Meeting of the Commission. If the Chairman is absent due to leave, or is unable to attend the meeting of the Commission, the senior most Member will preside over and transact the

business. But a list of items, on which decision was taken in absence of the Chairman shall be put up before him when he returns and takes over his charge.

(6) If the Chairman thinks necessary and fit, he may postpone any matter for future consideration.

DECISION

(7) (a) When there is a difference of opinion and it cannot be resolved by circulation or otherwise in a Committee, the matter shall be placed before the Commission for consideration and decision;

(b) If a Member does not agree with the proposal of the Government, the matter shall be placed before the Commission for consideration and decision;

(c) If a Member proposes discussion on any specific matter/question, it shall be circulated to other Members before it is placed on the Agenda of the next meeting of the Commission.

(8)(a) The decision of the Commission as far as possible shall be unanimous,

(b) If divergent views are held by the Members and unanimity cannot be reached at a Meeting, the item may be postponed for further consideration at a subsequent Meeting of the Commission. If in the subsequent Meeting it is realised that unanimity cannot be reached, decision shall be taken by majority of the Members present and voting and in the case of equal division of votes, the Chairman shall have a casting vote.

(c) It shall be open to any Member to record his dissent, if any, in the manner prescribed with or without reasons therefor, but he shall not communicate such dissent to the Government or any other authority or

person and also such a note of dissent shall not be communicated to the office or any Officer or staff of the Commission or media.

- (9) An urgent decision on certain matter/matters shall be taken by circulating the matter/matters among the Members of the Commission for their opinion. If the opinion of a Member is not made available within the time fixed by the Chairman, then it will be presumed that the Member agrees with the proposal.
- (10) The decisions of the Commission shall be implemented/communicated in writing to the concerned authorities under the signature of the Secretary or as directed by the Chairman.
- (11) Ordinarily, the decisions of the Commission shall be made by circulation of files among the Members. If there is an urgent matter, the file may be circulated by hand and the Commission's order be obtained, or the matter be placed in the next Meeting.
- (12) (a) The Secretary shall submit the Minutes of the Meeting within two days thereafter to the Members and the Chairman for approval;
(b) The Members present in the Meeting shall put their signatures below the decisions/proceedings recorded by the Secretary in token of their consent/agreement with the decisions/proceedings;
(c) If a Member wishes to record his dissent or disagreement on a point (s)he may do so after all the proceedings have been recorded, specifying the agenda number and the point which (s)he is in disagreement with;
(d) If a Member abstains from voting or does not put on his signature, the fact shall be entered in the Minutes Book;

- (e) A copy of each decision shall be placed on the relevant file or files as the case may be;
- (f) Copies of all the decisions shall be sent by the Secretary to the Private Secretaries/Addl. Private Secretary to all the Members, Officers and the Section Officers, who shall maintain them in proper order for ready reference;
- (g) The Secretary shall act as custodian of the record of the Meetings. At the end of financial year, a compendium of Minutes of Meetings shall be prepared, copies of such volumes shall be distributed to the Chairman, all Members, Officers, Section Officers and one copy shall be kept in the Library. It can also be kept in soft copies for ready reference.

**PROCEDURE
GENERALLY**

- 5- No proceeding of a Meeting of the Commission shall be invalid merely by reason of a vacancy in the Office of a Member or the Chairman or on the ground that a Member or Chairman was absent from the Meeting of the Commission.

**ALLOCATION
OF BUSINESS**

- 6- The Chairman of the Commission may, as and when required, allocate official business to any of the Member(s) as may be specified in the order. Also the Secretary or any other Officer may be asked in writing to perform any duties assigned by the Chairman from time to time. The assigned duties in the absence of the Chairman of the Commission may be discharged as per the Rules.
- 7- (1) For convenient transaction of its business, the allocation of work among the Members shall, from time to time, be made by the Chairman under the provisions of the Act.

- (2) For convenient and expeditious transaction of the business of the Commission, the Chairman may constitute a Committee or Committees from amongst the Members of the Commission.
- (3) The Chairman may constitute a Committee for performance of any specified work or transaction of specified business.
- (4) The allocation made under the above clauses may be amended or altered or modified by the Chairman as and when deemed necessary.
- 8- (1) If Committees are formed the Senior Most Member shall be the convenor of the Committee.
- (2) Decision of the Committee shall, except in matters in respect of which the Commission has otherwise directed, be reported promptly to the Commission for consideration and approval.
- 9- A Member may seek the opinion of any other Member or Members on any issue under consideration of the Commission and send the file to any/all the Members for the purpose.
- 10- Where there is consent among the Members and the Chairman to whom the file is circulated in accordance with the order of allocation of business, such opinion shall be deemed to be the opinion of the Commission ; provided that such opinion is not contrary to any prior decision or general policy of the Commission or any existing Rule.

CHAPTER-III

INTERVIEW
BOARD

- 11- (1)The Chairman shall constitute Boards for Interview of candidates for various posts for which selection is to be made according to the ***Uttarakhand Lok Sewa Ayog Pariksha Parinam Nirman Prakirya Niyamawali- 2012*** (as amended from time to time).

- (2) Single-Member or Multiple-Member Board shall be constituted taking into consideration the grades, status and importance of the posts in respect of which the selection is to be made;
 - (3) Ordinarily, a single Board shall be constituted for selection to a particular post or posts, but where the number of candidates is large, the Chairman may constitute Multiple Boards (more than one Board) for that purpose;
 - (4) Where more than one Multiple Member Boards are constituted, the constitution of the Board may be changed by rotation (in respect of the Members and Experts) as the Chairman thinks proper.
- 12- The programme of interview shall be fixed by the Chairman or the Committee constituted for the purpose.
- 13- (1) If a Member is unable to attend the interview fixed for him, any other Member may be nominated by the Chairman to hold the interview in his/her place and the fact shall not invalidate the proceedings of such selection.
- (2) If a Member of a Multiple-Member Board is unable to attend, or has to leave the Board during the course of its sitting and an alternative arrangement cannot be made, the other remaining Member or Members, as the case may be, may hold or continue to hold the interview and the proceedings of the Board shall not be vitiated merely on the ground that a Member was absent from the sitting of the Board.
- 14- The Senior Most Member shall preside over the Multiple Member Board.

CHAPTER-IV

**PANEL OF
EXAMINERS**

- 15- (1) The Controller of Examination shall prepare for every subject, a list of persons qualified for appointment as examiners as per Section-9 of the Act and submit the same for approval of the Commission or Committee who in its discretion may alter, add to, or delete any name from the list.
- (2) The list mentioned in sub rule-(1) of Rule 15 shall be revised at least once in every three years; provided that a person included in the previous list shall be eligible for inclusion in the revised list, if he/she has not incurred any disqualification referred to in Section-9 of the Act in the meantime.
- (3) The appointment of Examiners, Subject Experts, Paper Setters, Moderators and Evaluators from amongst the persons included in the list referred to in sub rule-(1) of Rule 15 shall be strictly as per norms and guidelines given in sub-sections 2, 3 and 4 of Section-9 of the Act.
- (4) No Officer of the Commission shall be placed on the Panel of Examiners.
- (5) The Panel of Examiners shall be a secret document and it shall be kept in safe custody by the Controller of Examinations under seal and shall be submitted to the Chairman or the Commission on requisition.
- 16- Examiners/Moderators/Paper Setters/Subject Experts/Evaluators shall be appointed for various purposes of work by the Controller of Examination with the prior approval by the Chairman from the Panel of Examiners prepared in accordance with the above Rules.
- 17- Setting and moderation of question papers for every examination shall be done strictly in terms of the provisions and procedure laid down in Section-10 of the Act which state that:-

- (1) Three Paper Setters, who are from different locations will be required to set a question paper, which will be received in sealed cover and shall be kept in the safe custody of the Controller of Examination.
- (2) All the three sealed question papers, shall be handed over to the Moderator after getting a receipt from him/her.
- (3) The Moderator will moderate all the three question papers separately and put them in different sealed covers. (S)He will not put any identification mark over the covers and hand over them to Controller of Examination or his nominee after getting a proper receipt.
- (4) The Controller of Examination will select one of the moderated question paper without opening the sealed covers and send it to printing press, who will print them, do the proof reading and put the question papers in sealed covers according to the list of examination centers, provided by Controller of Examination.
- (5) The printing press shall be answerable for maintaining secrecy and the Controller of Examination will issue instruction to ensure the secrecy.
- (6) If there is any discrepancy/factual error in the Hindi and English versions of a question, the English version shall be considered standard.

18- The Controller of Examination shall, in his right, be responsible for printing and safe custody of question papers, and maintaining fairness and secrecy of the entire process.

**CONDUCT
OF
EXAMIN-
ATION**

- 19- (1) The Commission shall conduct Examinations for the various posts to be filled by competitive Examinations.
- (2) The Commission may hold combined competitive Examination for selection to various posts under its purview.

- (3) In cases of direct selection through interview only, if the proportion of candidates to the number of posts is high, the Commission may, after having considered feasibility, expediency and other aspects, decide to hold screening test of the candidates, otherwise all the eligible candidates will be called for interview.
- 20- (1) The Commission shall advertise the vacancies through the print media, or electronic media/ internet (website), or both, and invite applications from eligible candidates. Manner of inviting application forms also includes “on-line submission of application forms” through internet as prescribed by the Commission on it’s website.
- (2) Applications duly received in response to Advertisement shall be scrutinised by the office in the manner prescribed by the Commission from time to time.
- (3) The date of birth acceptable by the Commission is that which is entered in the Matriculation or High School or Secondary School Examination Certificate/Mark Sheet. No other document relating to age like affidavits, birth extracts from the Municipal Corporation, service records, horoscopes and the like will be accepted.
- 21- (1) No candidate shall be admitted to the Examination unless (s)he had duly applied on the prescribed form in the prescribed manner and has deposited the prescribed application/Examination fee within the prescribed time.
- (2) No application received or submitted after last date and time fixed for receipt/ submission of applications shall be accepted; the last date should not be a non-working day.

Provided that in case more than one mode have been provided for the submission of application forms the application sent by registered post / speed post shall be at the risk of candidate and shall not be accepted after the last date and time mentioned in the advertisement;

Provided further that if a doubt arises as to whether the application was received within time, the decision of the Committee constituted for the purpose shall be conclusive & final and binding.

Provided further that an application form wrongly filled even partly shall not be allowed to be corrected after it has been received by the Commission. This shall also be applicable to online applications.

- (3) No application form shall be accepted through Fax, or if it is not in the prescribed format. An application not accompanied by proof of having deposited the application/examination fees or not giving full details regarding the optional papers offered etc., shall be liable to rejection.
- (4) In cases where the qualifications advertised for a post include a period of practical or other experience, in addition to educational/technical qualification, such a period of practical or other experience, as the case may be, should have been acquired after obtaining the essential educational/technical qualification prescribed for such post unless otherwise specified. Certificate regarding Practical experience, if any, prescribed should conform to the requirement notified/advertised and it should not be later than the last date of submission of application form .
- (5) A rejection memo shall be sent to the candidates stating the reasons for rejection either through mail or through Commission's website;

Provided that an information regarding rejection of an application, as shown on the web-site of the Commission with regard to any Examinations, shall be deemed to be a rejection-memo. For the purpose of this rule and publication thereof on the website shall be deemed as if the rejection-memo has been properly served upon the applicant concerned.

- 22- (1) All eligible candidates shall, subject to the provisions of the above Rules, be admitted to the examination.
- (2) The decision of the Commission as to the eligibility or otherwise of a candidate for admission to the Examination shall be final.
- (3) The candidates before applying for the Examination should ensure that they fulfill all the eligibility conditions for admission to the Examination. Their admission at all the stages of Examination for which they are admitted by the Commission viz, Preliminary Examination/Screening Examination, Main/Written Examination and Interview Test will be purely provisional, subject to their satisfying the prescribed eligibility conditions. If on verification at any time or any stage before or after the Preliminary Examination/Screening examination, Main/Written Examination and Interview Test, it is found that they do not fulfill any of the eligibility conditions, their candidature for the Examination will be cancelled by the Commission.
- (4) The Commission do not advise candidates as to their eligibility for any particular service where Examination of physical standard is conducted by the State Govt. before making any appointment. It is for the candidates themselves to see whether they satisfy the prescribed physical requirement (physical standard) and whether it is worthwhile to apply.

- (5) No candidate will be admitted to the Preliminary/Screening/Main/ Written /Interview Examination unless he/she holds a Certificate of Admission for the Examination issued by the Commission.
- (6) No request for withdrawal of candidature received from a candidate after he/she has submitted his/her application will be entertained under any circumstances.
- (7) At any stage of the Selection Process no candidate shall be allowed to change his/her category/sub-category/sub-categories as claimed by him/her in the original application form/OMR application form/Online application form submitted to the Commission.
- (8) The Commission may recommend the name of a provisionally selected Candidate to the Govt. subject to verification of his / her claim regarding eligibility for the post.
- (9) The candidates who fail to produce required certificate/certificates on the date of interview (or as directed by the Commission) shall not be allowed to appear at the interview and their candidature shall stand rejected.
- (10) The candidates who furnish wrong information in their original application forms may be disqualified from appearing for any post before the Commission up to a period of 5 years.
- (11) Candidates must write the papers in their own handwriting. However, blind candidates will be allowed to write the Examination with the help of a scribe. The qualification of the scribe shall be only one step less than the minimum qualification prescribed for the post. **Example :** If the

minimum qualification for the post is Graduation then the qualification of the scribe shall be Intermediate.

- (12) Appearance in all the papers at the Preliminary/Screening Examination, Main/Written Examination and for interview is compulsory. The candidates who do not fulfill this condition will not be considered for selection even if they secure the minimum qualifying marks for selection.
- (13) Candidates will not be permitted to use calculators for answering objective type papers(Test Booklets).

23- A Candidate who is or has been found by the Commission to be guilty of the following:

- (1) Obtaining/seeking support for his/her candidature whether in the Examination or Interview by any means; or
- (2) impersonating; or
- (3) procuring impersonation by any person; or
- (4) submitting false/fabricated documents or documents which have been tampered with; or
- (5) making statements which are incorrect or false or flouts any Instructions Guidelines, terms and condition, given in advertisements or instructions communicated in any manner or suppressing therein material information at any stage of selection; Or
- (6) resorting to the following means in connection with his candidature for the examination, namely:-
 - (a) obtaining copy of question paper through improper means;
 - (b) finding out the particulars of the persons connected with secret work relating to the Examination;

- (c) influencing the Examiners; or
- (7) Using or attempting to use unfair means in the Examination hall; or
 - (8) writing obscene matter or drawing obscene sketches in the scripts; or
 - (9) harassing, threatening or causing physical injury to the staff engaged in the conduct of Examination; or
 - (10) violating any of the instructions given to the candidates in their admission card or other directives including oral instructions given by the centre supervisor/ superintendent or other staff engaged in the conduct of Examination; or
 - (11) misbehaving in the examination hall including tearing of the scripts, provoking fellow examinees to boycott Examination, creating a disorderly scene and the like; or
 - (12) being in possession of or using mobile phone, pager, scanner or any electronic equipment or device or any other equipment capable of being used as a communication device during the Examination; or
 - (13) being debarred earlier on the above mentioned grounds by the Union Public Service Commission or any State Public Service Commission including this Commission.
 - (14) attempting to commit or, as the case may be, abetting the commission of all or any of the acts specified in the foregoing clauses; may in addition to rendering himself/herself liable to criminal prosecution, be liable:-
 - (a) to be disqualified by the Commission from the Examination for which (s)he is a candidate; and/ or

- (b) to be debarred either permanently or for a period up to 5 Years from any examination or selection to be conducted by the Commission, and,
- (c) if he/she is already in service under Government, to disciplinary action under the appropriate rules:

Provided that no penalty under this Rule shall be imposed except after:-

- (i) giving the candidate an opportunity of making such representation in writing as he/she may wish to make in that behalf; and
- (ii) taking into consideration the representation, if any, submitted by the candidate within the period allowed to him/her.

Provided further that the order of debarring or cancellation of candidature shall be passed only after the Commission has considered the matter and approved the proposed punishment of debarring the candidate or cancellation of his/her candidature.

24- There will be Negative Marking for wrong answers marked by a candidate in the Objective Type Question Papers. The Rules for Negative Marking are:-

- (1) There are four alternatives for the answers to every question.
For each question for which a wrong answer has been given by the candidate, one-fourth of the marks assigned to that question will be deducted as penalty.
- (2) If a candidate gives more than one answer, it will be treated as a wrong answer even if one of the given answers happen to be correct and there will be the same penalty as above for that question.

(3) If a question is left blank i.e. no answer is given by the candidate, there will be no penalty for that question.

25- (1) Notwithstanding anything to the contrary contained in relevant Service Rules or Government Orders regarding recruitment, the Commission may hold Preliminary Examination/Screening Test for finding out suitable candidates for admission to Main Examination or Interview, as the case may be;

(2) Preliminary Examination shall mean Screening Test to be conducted by the Commission with the purpose of finding out suitable candidates in required proportion as fixed by the Commission in each category, reserved and unreserved, for admission to the Main Examination or Interview, as the case may be;

(3) Preliminary Examination shall be conducted in the manner prescribed by the Commission from time to time. The marks obtained by the candidates at the Preliminary Examination/Screening Test shall not be counted for determining final order of merit;

(4) The number of candidates to be qualified/admitted to the Main (Written) Examination will be about 15 times the number of candidates to be recruited having regard to the rules of reservation of appointments. However, in each category, all the candidates who secure equal marks with last qualified candidate at the prescribed ratio of their respective category shall also be qualified/admitted to the Main Written Examination.

**PROGRAMME &
CENTRES OF
EXAMINATIONS**

- 26-(1) The Commission shall fix the place, dates and time of Examination which includes Preliminary Examination/Screening Test and Main Examination or any other test as the case may be.
- (2) The centers of examination shall be fixed with prior approval of the Chairman.
- (3) All arrangements for such Examinations shall be made by the Controller of Examination in consultation with the Secretary and in accordance with such directions as may be issued by the Commission in that behalf.

INVIGILATORS

- 27- (1) The Commission shall formulate guide-lines for appointment of centre superintendent/invigilators at centers of Examination.
- (2) Guidelines for centre superintendents and the invigilators approved by the Commission shall be sent by the Controller of Examination to centre superintendents.
- (3) The centre superintendents shall prepare a list of the persons suitable to be appointed as invigilators and they shall be responsible for proper arrangements of invigilation to ensure smooth and fair conduct of Examination at the centre.
- 28- (1) The centre superintendents shall be held solely responsible for free, fair and smooth conduction of examination at the centre.
- (2) If an invigilator is found negligent in his /her duties as such, the matter shall be reported to the Controller of Examinations, who shall take steps for exclusion of such invigilator from the duty of examination conducted by the Commission in future and shall take other actions as he/she deems fit.

**MAIN WRITTEN
EXAMINATION**

29- As soon as the Examination with regard to a paper is over and the answer-book has been received, the Controller of Examination shall submit a report to the Commission through the Secretary indicating the number of candidates who have appeared in the Examination.

**EVALUATION OF
ANSWER BOOKS
TABULATION**

30-The Controller of Examination shall ensure that Fake roll numbers (Code numbers) are allotted to each candidate in each paper before the evaluation of answer books of the Main Examination.

- 31- (1) Notwithstanding anything contained in these Rules, the evaluation & tabulation of the answer books or sheets as the case may be, shall be done as per procedures laid down by the *Uttarakhand Rajya Lok Sewa Ayog (Uttar Pustikaon Ki Mulyankan Prakriya Tatha Sanniriksha Prakriya Viniyaman) Niyamavali, 2007* (as amended from time to time).
- (2) Evaluation of answer books shall be examined in the Evaluation halls/centre within the Commission Campus in the presence of the concerned Section Officer and supervision of the Controller of Examinations.
- (3) The number of answer books to be provided to each Examiner shall be fixed by the Controller of Examination as per rules in force at that time, or with the prior approval of the Chairman.
- (4) If an Examiner is unable to assess the answer books for any reason within the time allowed by the Controller of Examination, the Chairman shall in such a case appoint another Examiner from amongst the Panel of Examiners.

- (5) If an Examiner fails to comply with the instructions/orders of the Commission, or fails to co-operate with the Commission or other Examiners, or found negligent in the discharge of his/her duties as an Examiner, or is found divulging the secrecy of the Examination or if misconduct or anything undesirable is noticed, the fact shall be brought to the notice of the Commission, and the Commission may strike off the name of such Examiner from the Panel of Examiners for a specified period or permanently, and may proceed against him/her otherwise also as the situation requires.
- (6) The Controller of Examination shall submit a report to the Chairman indicating the progress of the evaluation work from time to time.
- (7) There shall be no provision for revaluation or re-scrutiny of the Answer Books of the Examinations conducted by the Commission.
- (8) Candidate shall use only blue or black ink for writing his/her Examination or filling circles of OMR answer sheets. Use of any other ink shall attract penalty of reduction of marks which shall be determined by the Commission. Answers in pencil shall not be evaluated. However, use of colour is permitted in the case of maps, diagrams and the like.
- (9) The Commission may place a condition on the candidate to obtain atleast the minimum qualifying marks prescribed by it at any Examination (Written or Interview), Screening/Preliminary, Main/Written Examination or any other related Test or part thereof

or in any subject of the Examination. The qualifying marks will be laid down by the Commission from time to time.

In cases where applicable, counting of such marks will be governed by conditions laid down by the Commission from time to time as may be specified in the Advertisement.

- 32- The Examination-Committee or the Commission shall make random-checking of the evaluated answer books and the tabulation to ensure correctness and accuracy.
- 33- The proper evaluation of answer books/sheets, correct tabulation of marks and correct restoration of original roll numbers of the candidates shall be done under the overall supervision of the Controller of Examinations as per Rule 12 of *Uttarakhand Rajya Lok Sewa Ayog (Uttar Pustikaon Ki Mulyankan Prakriya Tatha Sanniriksha Prakriya Viniyaman) Niyamavali, 2007* (as amended from time to time).
- 34- Where the tabulation is completed and thoroughly checked by the office, the Secretary and the Commission as provided for in the above Rules, the Controller of Examination shall submit the result to the Secretary, who shall submit the same to the Commission in the form and in the manner to be prescribed by the Commission.
- 35- (1) The bonus marks or adhimani marks (if there is any provision in the Service Rules/Government Orders) shall be provided to the candidates only at the Interview and where there is no provision of Interview, then in the Written Examination of the selection process.

(2) Benefit on account of preferential qualifications will be available to concerned candidates at the stage of preparation of Merit List by the Commission, guided by the provision of the related Service Rules.

**INTERVIEW
AND RESULT**

36- The Commission/ Chairman shall decide the number of candidates to be called for interview to appear before a Board or Boards on any particular day. Provided that the maximum number of the candidates for each Board will be limited up to 18.

37- Twenty-one days notice shall ordinarily be given to the candidates to appear before the Commission for Interview and the interview programme shall be fixed keeping in view the said period of notice.

Provided that in case the candidates are informed to download their Interview Memo or any other related information online for the above purpose, the Commission may reduce the above mentioned time limit.

38- The Commission shall hold the interview only in the Commission's office at Haridwar.

39- On each day after the interview is over, the mark sheet prepared in triplicate shall be placed in separate - separate sealed covers and the first shall be retained by the Presiding Member till the results are finalised; or as directed by the Commission, the second will be sent to the Secretary to be kept under his/her safe and secret custody, and the third copy will be sent to the Controller of Examinations for preparing the results.

40- The Commission may, with a view to maintaining uniformity in different subjects in any Examination, adopt any method, device or formula, which is considered proper for the purpose.

41- The mark-sheets so obtained shall be opened in the presence of the Controller of Examination on the last day of Interview and immediately thereafter the marks of Interview/Personality Test shall be added to the marks obtained by the candidates in the Main/Written Examination. Thereafter, on the basis of the total marks obtained, the merit lists shall be prepared which will be rechecked by the Secretary and Examination Committee or the committee formed by the Chairman and thereafter be placed before the Commission for final declaration of the result.

**RECOMMEN-
DATION**

42- Due consideration will be given, in combined selection of the Examination while recommending a candidate for a particular service, to the preference, (if any), expressed by him/her in the preference sheet, at the time of Written Examination/Interview, subject to the following conditions:-

- (1) Preference sheet for the advertised posts is obtained from the candidates at the time of the Interview (or as directed by the Commission) and the candidate is selected in the order of merit according to the order of preference shown in this preference sheet. Once the preference sheet has been submitted, no change/amendment therein shall be permitted thereafter and no representation will be considered in this regard.
- (2) The candidates will be considered only for those posts and in the order as indicated by him/her in the preference sheet. They will not be considered for any post not mentioned in the preference sheet, irrespective of fact that in the order of their merit they are eligible to the post.

(3) If a candidate has not submitted the preference sheet duly filled in, to the Commission, or has submitted the preference sheet without his/her signature or has not expressed any choice/preference whatsoever in the preference sheet, will be considered for all eligible posts in which order these have been listed in the Advertisement.

(4) Success in the examination confers no right to appointment unless the Government is satisfied after such inquiry as may be considered necessary that the candidate is suitable in all respects for appointment to the service.

**ADDITIONAL
SELECTION LIST**

43- The Commission shall, as per relevant provision of the related Service Rule, prepare an Additional Selection List at the time of preparing final selection of the relevant post which shall be kept in a Sealed Cover and this Additional Selection List shall be submitted to the Government upon its being requisitioned provided that no fresh requisition has been received for the same post in the intervening period.

44- After the results are declared by the Commission, the same will be issued immediately to the press for publications. A copy shall be placed on the notice board.

45- The marks of all the candidates (After final results are declared) shall be displayed on the Commission's website.

CHAPTER-V

**SELECTION BY
DIRECT
RECRUITMENT**

46- The advertisement for selection to various posts by direct recruitment shall be issued and application from eligible candidates be invited by the Commission in accordance with the requisition received in that behalf as

**THROUGH
INTERVIEW
ONLY**

per provisions of Service Rules, or on principles agreed to by the Commission where there are no Service Rules in force at that time.

47- Notes for preliminary weeding of candidates shall be submitted in the manner prescribed, to the Commission, and the Commission shall admit such number of candidates to interview as they deem fit.

Generally, the following proportion shall be maintained for short listing of eligible candidates for Interview:

<u>N0. of Posts advertised</u>	<u>Proportion of Candidates for Interview</u>
1 to 5	5 times
6 to 10	4 times
11 & More	3 times

Note-

1. In case of single posts like Directors, Chief Architect, etc., the short listing shall be up to 10 candidates.
2. If a Screening Test is conducted to short list the candidates, the short listed candidates shall be called for interview in the proportion given above.

SCREENING TEST 48- If the number of candidates is more and it is not possible to invite all the candidates for the interview, the Commission shall take decision for holding a Screening Test with the purpose of finding out the suitable candidates to be called for the interview. The number of candidates qualified for the interview shall depend upon the number of vacancies postwise. The ratio for the qualified candidates to the total vacancy shall

depend upon the rule in force that time or on principles adopted by the Commission.

49- Rules 11 to 14,21,22,36 and 37 shall also apply to the selection by direct recruitment.

50- The provisions of Rule 39 shall also apply with the modification that 2nd copy mark-sheets will be sent to the Secretary to be kept in safe and secret custody and that the 1st copy shall be retained by the Presiding Member till the interviews are over and the result is finalised.

51- (1) Where Multiple Boards are constituted, the envelopes containing the original mark-sheets of Interview held by different Boards shall be sent to the Chairman/Senior-Most Member for preparation of result in the Chairman's office. All the Members shall be present there to assist in preparing the result. The Private Secretary to the Chairman/Senior-Most Member shall assist to prepare the results and other Private Secretaries to the Members shall assist in the work.

(2) Notwithstanding anything contained in the above Rule, in case any Member who has held the Interview Board is not able to sign the result due to his absence on account of leave or otherwise, and the Chairman feels it expedient in public interest to declare the result, he may accord his permission to present the result to the Commission for approval without the signature of such Member, and the Commission may, considering the circumstances, approve the result.

**TECHNICAL
ADVISORS**

52- The Rules relating to the preparation of Panels of Examiners shall *mutatis mutandis* apply to the preparation of Panel of Technical Advisors.

- 53- (1) Technical Advisors shall be appointed by the Chairman out of the Panel of Advisors approved by the Commission to assist the Board at the time of interview in the selection of candidates for various posts/services.
- (2) In the case of selection by Competitive Examination also the appointment of technical advisors shall be made by the Chairman from the panel of Advisors approved by the Commission.
- (3) The Chairman may invite Government representative (who will be normally a senior officer of the Department) to be present at the interview. The representative so present may take part in the deliberation, but shall not be entitled to award marks.
- 54- Fairly senior persons shall be appointed as technical advisors taking into consideration their caliber, expertise, experience, general reputation and past performance, if any. For illustration :
- (1) In a selection for the posts of professor "A" and "B" both were Candidate. "A" was selected and in subsequent selection which was held after sometime. "A" was invited to assist the Commission as Technical Advisor for the post of professor in which "B" was a Candidate. The appointment of "A" as Technical Advisor was not proper.
- (2) "A" a professor of 10 years standing is appointed as Technical Advisor for the selection to the post of professor. The appointment of "A" as Technical Advisor would be proper.

55- If a Technical Advisor, at any time, discovers that any of the candidates appearing before the Board is related to him/her, or, for any other reason, he/she does not want to associate himself/herself with the interview of any particular candidate, he/she shall bring the fact to the notice of the Board. Thereupon he/she shall withdraw from the Board for the time the said candidate is interviewed and such withdrawal from the Board shall not invalidate the selection or rejection of such a candidate.

CHAPTER – VI

DEPARTMENTAL
PROMOTION
COMMITTEE

56- Where selections are to be made in accordance with the *Uttarakhand lok seva ayog* Promotion by Selection in Consultation with “Public Service Commission (Procedure) Rules, 2003 (as amended from time to time)” the Chairman himself or the Member nominated by the Chairman shall preside over the Selection Committee and shall follow the guidelines prescribed by the Commission from time to time.

57- The proceedings of the Selection Committee shall be submitted to the Commission for approval either by circulation, by hand or by placing it before the Commission at its next Meeting.

CHAPTER – VII

FINANCE

58- Subject to the provision of the Act and State Government guidelines issued from time to time in this regard, the Secretary shall prepare budget estimates for the next financial year together with the estimates or revised estimates of the works, as the case may be, of the

current year, and with the actual expenditure incurred during the preceding financial year.

- 59- Any new demand sought to be included in the Budget Estimates of the ensuing year shall be shown in the General Budget Estimates as well as separately appended to the Budget Estimates.
- 60- (1) The Budget prepared in accordance with the provisions of Rules 58 and 59 shall be placed before the Chairman at least 15 days before it is due to be submitted to the Government.
- (2) All items for Schedule of New Demands shall be submitted by the Secretary by the end of October every year.
- 61- Any Supplementary Demands shall like-wise be placed before the Chairman at least 10 days before they are due to be submitted to the Government.
- 62- The Chairman may approve the estimates presented by the Secretary or may make such changes as he deems fit or necessary. Such approved estimates of the Annual Budget or of Supplementary Demands, if any, shall be the Budget Estimates of the Commission and shall be transmitted to Government for inclusion in the State Budget.
- 63- After the allotments are received from the Government, the Secretary shall make a report to the Chairman with a copy of the sanctioned Budget Estimates.
- 64- The Secretary shall submit to the Chairman monthly reports of the expenditure incurred by the Commission for information and directions, if any.

- 65- Reports regarding expenditure on maintenance of the buildings of the Commission shall be made quarterly to the Chairman.

CHAPTER – VIII

**ANNUAL
REPORT**

- 66- As envisaged under Article 323(2) of the Constitution of India, the State Commission has to prepare an Annual Report by 31 August of each year and present it to the Governor, about the work done by the Commission. The Governor, shall, on receipt of such Report, cause a copy thereof together with a memorandum explaining the cases, if any, where the advise of the Commission was not accepted by the Government, and the reasons thereof, require the same to be laid before the State Legislature.

The Annual Report comprises of the following Chapters :

Chapter 1	Organization of the Commission
Chapter 2	Secretariat of the Commission
Chapter 3	Meetings of the Commission
Chapter 4	Brief History and Charter of Duties
Chapter 5	Selection by Examination (Written and Interview)
Chapter 6	Direct Recruitment by Interview
Chapter 7	Representation of Reserved Categories
Chapter 8	Promotions (D.P.C)
Chapter 9	Service Rules
Chapter 10	Disciplinary Cases
Chapter 11	Cases Where There Was a Difference of Opinion Between the Commission and the Government
Chapter 12	Details of Accounts

- Chapter 13 Court Cases/RTI Matters
- Chapter 14 Delegations/Visits
- Chapter 15 Miscellaneous/Achievements/Problems of the Commission
- The Chapters may be increased by the prior approval of the Commission; if it is necessary.

**GERERAL /
MISCELLA-
NEOUS**

67- All decisions and proceedings of the Commission shall, unless otherwise directed, be secret.

68- Any Member may call for any file, papers or information pertaining to the work assigned to him/her by the Chairman from the office through the Secretary.

NOTES:- 'Paper' does not mean examination papers and 'information' does not mean information regarding marks obtained in written examination by candidates before interview for the post or service is over, 'file' does not mean files regarding/containing such type of information which relates to information about a paper, confidential printing material, marks obtained by the candidates in the Main/Written Examination before the Interview is held, as also fake roll numbers, to whom a particular script has gone, or any other confidential matter related only to the Controller of Examination and Confidential Sections.

69- The decision of the Commission on different matters shall be published in separate volume on a regular basis.

- 70- The rent of the UK PSC Examination Hall for various Examinations of other institutions is decided by the Commission from time to time.

CHAPTER IX

**RETENTION AND
WEEDING OF
RECORDS**

- 71 (1) The Record Section shall be responsible for maintaining the records in a proper condition and Weeding Rules “उत्तराखण्ड लोक सेवा आयोग अभिलेखों का सृजन, अनुरक्षण, नकल एवं विनिर्दान (वीडिंग) नियमावली-2011” shall be scrupulously followed while weeding the records of the Commission.
- (2) Weeding of files/documents and papers in the Confidential Section will be the responsibility of the concerned Section Officer.
 - (3) After completing weeding of waste material, all top confidential material shall be burnt/crushed.
 - (4) Twice a year (during months of June and December) the Section Officer of the Record Section will select cases marked out for weeding.
 - (5) The material i.e., condemned by the competent authority on the recommendation of a duly constituted Committee for the purpose, shall be disposed off through public auction or as per Govt. Orders.
 - (6) The list of weeded material shall be uploaded on the Commission’s Website.
 - (7) After the selection process of an examination is over, if a candidate(s) under the RTI Act-2005 demands photostat copy/copies of his/her Answer Books/OMR Answer Sheets or wants to see them, the procedure formed by the Commission for this purpose will be followed.

CHAPTER – X

- RESIDUARY MATTERS** 72- The Commission may deal in such manner as it deems fit with any matter not specifically provided for in these Rules.
- INTERPRETATION** 73- If any doubt arises as to the interpretation of these Rules, the interpretation made by the Commission shall be final.
- AMENDMENT** 74- These Rules may be amended by the Commission as & when deemed necessary and such amendments shall take effect immediately or from such date as the Commission may fix in this behalf but not retrospectively.
- REPEAL & SAVINGS** 75- (1) The U.P. Public Service Commission (Procedure & Conduct of Business) Rules 1976 and Uttarakhand Public Service Commission (Procedure & Conduct of Business) Rules-2007 are hereby superseded.
- (2) Notwithstanding such supersession, any thing done or any action taken under the Rules referred in Sub-Rule (1), and all acts, orders, decisions, recommendations, including the conduct of an interview, selection or competitive examination, or declaration of any result thereof by or on behalf of the Commission in accordance with the rules referred to in Sub-Rule (1) or the Rules framed there under, shall be deemed to be, and always to have been, valid and any proceedings in relation to interviews, selections or competitive examinations pending on the date of commencement of these Rules may be continued and completed in accordance with the provisions of the Act & the Rules in force prior to such commencement.
- The above Rules, i.e, The Uttarakhand Public Service Commission (Procedure & Conduct of Business) Rules- 2013 are approved in the Commission’s Meeting dated**