NOTIFICATION

Ministry of Commerce and Industry
(Dept. of Industrial Policy & Promotion)

New Delhi, the 5th September, 2007

G.S.R. 574(E).—In exercise of the powers conferred by the proviso to article 309 of the Constitution, and in supersession of the Patent Office Group ‘A’ Controller-General of Patents, Designs and Trade Marks Recruitment Rules, 2001, in so far as they relate to the posts of Joint Controller of Patents and Designs, Deputy Controller of Patents and Designs, Assistant Controller of Patents and Designs and Examiner of Patents and Designs, except as respects things done or omitted to be done, the President hereby makes the following rules, regulating the method of recruitment to Grade ‘A’ posts in the Patent Office in the Office of the Controller General Patents, Designs and Trade Marks under the Department of Industrial Policy and Promotion, namely:—

1. Short title and commencement.—(1) These rules may be called the Controller-General of Patents, Designs and Trade Marks Group ‘A’ Recruitment Rules, 2007.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Number of Post, Classification and Scale of Pay.—The number of the said posts, their classification and the scale of pay attached thereto shall be as specified in columns 2 to 4 of the Schedule annexed to these rules.

3. Method of recruitment, age limit, qualifications, etc.—The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 14 of the said Schedule aforesaid.

4. Disqualification.—No person,—

(a) who has entered into or contracted a marriage with a person having a spouse living; or
(b) who having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the said post:

Provided that the Central Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and there are other grounds for so doing exempt any person from the operation of this rule.

5. Power to relax.—Where the Central Government is of the opinion that it is necessary or expedient so to do, it may, by order for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

6. Saving.—Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for the Scheduled Caste, Scheduled Tribes, Other Backward Classes, Ex-Servicemen and other special categories of persons, in accordance with the orders issued by the Central Government from time to time in this regard.

SCHEDULE

<table>
<thead>
<tr>
<th>No.</th>
<th>Name of post</th>
<th>No. of post</th>
<th>Classification</th>
<th>Scale of pay</th>
<th>Whether selection post or non-selection post</th>
<th>Whether benefit of added years of service admissible under Rule 30 of the C.C.S. (Pension) Rules 1972</th>
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<tbody>
<tr>
<td>1</td>
<td>Joint Controller of Patents and Designs</td>
<td><em>2</em>(2007)</td>
<td>General Central Service Group 'A'</td>
<td>Rs. 14,300-400-18,300/-</td>
<td>Selection</td>
<td>Not applicable</td>
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<td></td>
<td><em>Subject to variation</em></td>
<td>Gazetteed</td>
<td>Non-Ministerial</td>
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Age limit for direct recruits: Not applicable

Educational and other qualifications required for direct recruits: Not applicable

Whether age and educational qualifications prescribed for direct recruits will apply in case of promotees: Not applicable

Period of probation, if any: Not applicable

Method of recruitment: Whether by direct recruitment or by promotion or by deputation/transfer and percentage of the vacancies to be filled by various methods: In case of recruitment by promotion/deputations/transfer, grades from which promotion/deputation/transfer to be made: Not applicable

By promotion failing which by deputation: Not applicable

Promotion:
Deputy Controller of Patents & Designs in the pay scale of Rs. 12000-375-16500/- with five years regular service in the grade.

Deputation:
Officers of Central Government
(a) (i) holding analogous posts on regular basis; or
(ii) with five years regular service in posts in the pay scale of Rs. 12000-375-16500/;
(b) Possessing the qualifications and experience given below:

Essential:
(i) Masters Degree in Physics/Chemistry/Bio-Chemistry/Microbiology/Molecular Biology/Bio-Technology/Biophysics; OR Degree in Engineering/Technology of a recognised University or equivalent.
(ii) 15 years research experience with record of original published paper; OR 15 years experience in supervisory capacity in an Industrial or Engineering Organization of repute; OR 15 years experience in Group ‘A’ post in Patent Office.

Desirable:
(i) Degree in Law of a recognized University or equivalent; (ii) Administrative experience.

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<tr>
<th>If a Departmental Promotion Committee exists, what is its composition</th>
<th>Circumstances in which Union Public Service Commission is to be consulted in making recruitment</th>
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<tbody>
<tr>
<td>13</td>
<td>Group ‘A’ Departmental Promotion Committee (for considering Promotion):</td>
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<tr>
<td></td>
<td>(i) Joint Secretary (Administration), Department of Industrial Policy &amp; Promotion —Chairman</td>
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<td></td>
<td>(ii) Controller General of Patents, Designs and Trades Marks —Member</td>
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<td></td>
<td>(iii) Senior Joint Controller of Patents &amp; Designs —Member</td>
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<td>(iv) Joint Secretary (Admin.), Department of Commerce* —Member</td>
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<td>(*Outstanding candidate as per DFPO O.M. No. 22012/5/97-Estt(D) dated 12-1-1998).</td>
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<tr>
<td>2 Deputy Controller of Patents and Designs</td>
<td>7*(2007)</td>
<td>General Central Service, Group ‘A’</td>
<td>Rs. 12,000-375-17,500/-</td>
<td>Selection</td>
<td>Not applicable</td>
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<td>*Subject to variation depending upon the workload.</td>
<td>Gazetted Non-Ministerial.</td>
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<th>10</th>
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<tr>
<td>Not applicable</td>
<td>Not applicable</td>
<td>No</td>
<td>Not applicable</td>
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**Promotion:**
Assistant Controller of Patents and Designs in the pay scale of Rs. 10,000-325-15,200/- with five years regular service in the grade.

**Deputation:**
Officers of Central Government
(a)(i) holding analogous posts on regular basis; or
(ii) with five years regular service in posts in the pay scale of Rs. 10,000-325-15,200;
(b) Possessing the qualifications and experience given below:

**Essential:**
(i) Masters Degree in Physics/Chemistry/Bio-Chemistry/Microbiology/Molecular Biology/Bio-Technology/Bio-Physics; OR Degree in Engineering/Technology of a recognized University or equivalent.
(ii) 10 years research experience with record of original published paper; OR 10 years experience in supervisory capacity in an Industrial or Engineering Organization of repute; OR 10 years experience in Group 'A' post in Patent Office.

Desirable:
(i) Administrative experience.
(ii) Degree in Law of a recognised University or equivalent of practice in the Bar.
(iii) Certificate/Diploma from a recognised University/Institute on foreign language like German, French, Russian, Spanish, etc.

Group 'A' Departmental Promotion Committee
(for considering Promotion):

(i) Joint Secretary (Administration), Department of Industrial Policy and Promotion — Chairman
(ii) Controller General of Patents, Designs and Trades Marks — Member
(iii) Senior Joint Controller of Patents and Designs — Member
(iv) Joint Secretary (Admin.), Department of Commerce* — Member
(*Nominee of the Department of Personnel & Training as per DPOT O.M. No. 22012/5/97-Estt. (D) dated 12-01-1998).

3. Assistant Controller of Patents and Designs

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<td>33*(2007)</td>
<td>General Central Service, Group 'A'</td>
<td>Rs. 10,000-325-15,200</td>
<td>Selection</td>
<td>Not applicable</td>
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<td>*Subject to variation depending upon the workload.</td>
<td>Gazetted Non-Ministerial.</td>
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Promotion:
Examiner of Patents and Designs in the pay scale of Rs. 8,000-275-13,500 with five years regular service in the grade.

Deputation:
Officers of Central Government
(a)(i) holding analogous posts on regular basis; or
(ii) with five years regular service in posts in the pay scale of Rs. 8,000-275-13,500;
(b) Possessing the qualifications and experience given below:

Essential:
(i) Masters Degree in Physics/Chemistry/Bio-Chemistry/Microbiology/Molecular Biology/Bio-Technology OR Degree in Engineering/Technology of a recognised University or equivalent.
Not exceeding 35 years. (Relaxable for Government servants up to 5 years in accordance with the instructions or orders issued by the Central Government).  

**Note:** The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (and not the closing date prescribed for those in Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Jammu & Kashmir State, Lahul and Spiti District and pangi Sub-Division of Chamba District of Himachal Pradesh, Union Territories of Andaman and Nicobar Island and Lakshadweep.)

**Essential:** Masters Degree in Physics/Chemistry/Bio-Chemistry/ Microbiology/Molecular Biology/ Biotechnology/Bio-Physics, OR Degree in Engineering/Technology of a recognised University or equivalent.

**Desirable:**
(i) Research experience.
(ii) Degree in Law of recognised University or equivalent.
(iii) Certificate/Diploma from a recognized University/Institute on foreign language like German, French, Russian, Spanish, etc.

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**Group ‘A’ Departmental Promotion Committee**

(for Promotion): —

(i) Joint Secretary (Administration), Department of Industrial Policy and Promotion — Chairman

(ii) Controller General of Patents, Designs and Trade Marks — Member

(iii) Senior Joint Controller of Patents & Designs — Member

(iv) Joint Secretary (Admin.), Department of Commerce* — Member

(*Nominee of the Department of Personnel and Training as per DPOT O.M. No. 22012/5/97-Estt. (D) dated 12-01-1998).

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<tr>
<td>4. Examiner of Patents and Designs</td>
<td>156* (2007)</td>
<td>General Central Service, Group ‘A’,</td>
<td>Rs. 8,000/-</td>
<td>Not applicable</td>
<td>125</td>
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<tr>
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<td>*Subject to variation</td>
<td>Gazetted</td>
<td>275-13,500</td>
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<td>No</td>
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<td>depending upon the workload.</td>
<td>Non-Ministerial.</td>
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<td>Not exceeding 35 years. (Relaxable for Government servants up to 5 years in accordance with the instructions or orders issued by the Central Government).</td>
<td>Essential: Masters Degree in Physics/Chemistry/Bio-Chemistry/ Microbiology/Molecular Biology/ Biotechnology/Bio-Physics, OR Degree in Engineering/Technology of a recognised University or equivalent.</td>
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<td>Desirable:</td>
<td>(i) Research experience.</td>
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<td>(ii) Degree in Law of recognised University or equivalent.</td>
<td>(iii) Certificate/Diploma from a recognized University/Institute on foreign language like German, French, Russian, Spanish, etc.</td>
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By direct recruitment

Note: Vacancies caused by the incumbent being away on deputation or long illness or study leave or under other circumstances for a duration of one year or more may be filled by deputation basis from other officers of Central Government.

(a) (i) holding analogous posts on regular basis, or
(ii) with five years regular service in posts in the pay scale of Rs. 6500-200-10,500.

(b) possessing the qualifications and experience prescribed for direct recruits under Col. 8.

Group ‘A’ Departmental Promotion Committee for considering confirmation:

(i) Joint Secretary (Administration), Department of Industrial Policy & Promotion — Chairman
(ii) Controller General of Patents, Designs and Trademarks — Member
(iii) Joint Secretary (Admin.), Department of Commerce* — Member

(*) Nominee of Department of Personnel & Training as per DPOT O.M. No. 22012/5/97-Estt. (D) dated 12-1-1998.

Composition of Selection Committee for selection of candidates for appointment on direct recruitment basis:

(1) Secretary, Department of Industrial Policy & Promotion — Chairman
(2) One or more Departmental Officers not below the level of Director to be nominated by Secretary, Department of Industrial Policy & Promotion.
(3) Two or more outside experts to be nominated by Secretary, Department of Industrial Policy and Promotion.
(4) Joint Secretary (Administration), Department of Commerce*

(*) Nominee of Department of Personnel & Training as per DPOT O.M. No. 22012/5/97-Estt. (D) dated 12-01-1998.

Note: (i) At least 50% of the total members of the Committee including Chairman should be from outside the Department. (ii) The Members of the Committee should not be below level of Director. (iii) The absence of a Member of the Committee other than the Chairman shall not invalidate the proceedings of the Selection Committee.

[F. No. 8/63/2004-IPR-I]
N. N. PRASAD, Jr. Secy.