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वाणिज्य और उद्योग मंत्रालय

(औद्योगिक नीति और संवर्धन विभाग)

अधिसूचना

नई दिल्ली, 4 सितम्बर, 2012

सा.का.नि. 665(अ).—राष्ट्रपति, संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और वाणिज्य और उद्योग मंत्रालय, औद्योगिक नीति और संवर्धन विभाग, कार्यालय महानियंत्रक पेटेंट में अभिकल्प और व्यापारचिन्ह की व्यापार चिन्ह और भौगोलिक उपदर्शन रजिस्ट्री में विधि अधिकारी और कार्यक्रमक/सूचना प्रौद्योगिकी विशेषज्ञ के पदों पर भर्ती की पद्धति का विनियमन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :—

1. **संक्षिप्त नाम और प्रारम्भ.**—(1) इन नियमों का संक्षिप्त नाम वाणिज्य और उद्योग मंत्रालय, औद्योगिक नीति और संवर्धन, कार्यालय महानियंत्रक पेटेंट, अभिकल्प और व्यापार चिन्ह की व्यापार चिन्ह और भौगोलिक उपदर्शन रजिस्ट्री में विधि अधिकारी और कार्यक्रमक/सूचना प्रौद्योगिकी विशेषज्ञ समूह 'क' पद भर्ती नियम, 2012 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. **लागू होना.**—ये इन नियमों से उपाबद्ध अनुसूची के स्तम्भ 1 में विनिर्दिष्ट पदों को लागू होंगे।

3. **पदों की संख्या, वर्गीकरण और वेतन बैंड तथा ग्रेड वेतन या वेतनमान.**—उक्त पदों की संख्या, उनका वर्गीकरण और उनके वेतनमान वे होंगे, जो इन नियमों से उपाबद्ध अनुसूची के स्तम्भ (2) से स्तम्भ (4) में विनिर्दिष्ट हैं।

4. **भर्ती की पद्धति, आयु-सीमा और अन्य अर्हताएं.**—भर्ती की पद्धति, आयु-सीमा, अर्हताएं और उससे संबंधित अन्य बातें वे होंगी जो उक्त अनुसूची के स्तम्भ (5) से स्तम्भ (13) में विनिर्दिष्ट हैं।

5. **निरर्हता.**—वह व्यक्ति,—

(क) जिसने ऐसे व्यक्ति से, जिसका पति या जिसकी पत्नी जीवित हैं, विवाह किया है, या

(ख) जिसने अपने पति या अपनी पत्नी के जीवित रहते हुए किसी व्यक्ति से विवाह किया है,

उक्त पद पर नियुक्ति का पात्र नहीं होगा :

परन्तु यदि केन्द्रीय सरकार का यह समाधान हो जाता है कि ऐसा विवाह ऐसे व्यक्ति और विवाह के अन्य पक्षकार को लागू स्वीय विधि के अधीन अनुज्ञेय है और ऐसा करने के लिए अन्य आधार हैं तो वह किसी व्यक्ति को इस नियम के प्रवर्तन से छूट दे सकेगी।

6. **शिथिल करने की शक्ति.**—जहां केन्द्रीय सरकार की यह राय है कि ऐसा करना आवश्यक या समीचीन है, वहां वह उसके लिए जो कारण हैं उन्हें लेखबद्ध करके और संघ लोक सेवा आयोग से परामर्श करके, इन नियमों के किसी उपबंध को किसी वर्ग या प्रवर्ग के व्यक्तियों की बाबत, आदेश द्वारा शिथिल कर सकेगी।

7. **व्यावृत्ति.**—इन नियमों की कोई बात, ऐसे आरक्षण, आयु-सीमा में छूट और अन्य रियायतों पर प्रभाव नहीं डालेगी, जिनका केन्द्रीय सरकार द्वारा इस संबंध में समय-समय पर निकाले गए आदेशों के अनुसार अनुसूचित जातियों, अनुसूचित जनजातियों, भूतपूर्व सैनिकों और अन्य विशेष प्रवर्ग के व्यक्तियों के लिए उपबंध करना अपेक्षित है।

3301(GI)/12-3

वेतन या वेतनमान के साथ एक ग्रेड में विलय किया गया है और जहां यह फायदा केवल उस पद या उन पदों को विस्तारित होगा जिसके लिए वह ग्रेड वेतन या वेतनमान बिना किसी उन्नयन के सामान्य प्रतिस्थापन ग्रेड हैं।

[फा. सं. 2/4/2009-आईपीआर-1]

डी. वी. प्रसाद, संयुक्त सचिव

MINISTRY OF COMMERCE AND INDUSTRY
(Department of Industrial Policy and Promotion)

NOTIFICATION

New Delhi, the 4th September, 2012

G.S.R. 665(F).— In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to the posts of Law Officer and Programmer/IT Specialist in the Ministry of Commerce and Industry, Department of Industrial Policy and Promotion, Trade Marks and Geographical Indications Registry in the Office of the Controller General of Patents, Designs and Trade Marks, namely: -

1. Short title and commencement.— (1) These rules may be called the Ministry of Commerce and Industry, Department of Industrial Policy and Promotion, Office of the Controller General of Patents, Designs and Trade Marks, Trade Marks and Geographical Indications Registry, Law Officer and Programmer/IT Specialist, Group 'A' Posts Recruitment Rules, 2012.

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

2. Application.— These rules shall apply to the posts specified in column 1 of the Schedule annexed to these rules.

3. Number of posts, classification, pay band and grade pay or pay scale.— The number of the said posts, their classification pay band and grade pay or pay scale attached thereto, shall be as specified in columns 2 to 4 of the said Schedule.

4. Method of recruitment, age limit, qualifications, etc.— The method of recruitment, age limit, qualifications and other matters relating thereto shall be as specified in columns 5 to 13 of the aforesaid Schedule.

5. 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 that there are other grounds for so doing, exempt any person from the operation of this rule.

6. 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 and in consultation with the Union Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons.

7. Saving.- Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for the Scheduled Castes, the Scheduled Tribes, 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

Name of post.	Number of post.	Classification.	Pay band and grade pay or pay scale.	Whether selection post or non-selection post.	Age limit for direct recruits.
1	2	3	4	5	6
1. Law Officer.	1* (2012) *Subject to variation dependent on workload.	General Central Service, Group 'A', Gazetted, Non- Ministerial.	Pay band -3 Rs.15,600-39,100/- plus grade Pay Rs.5,400/-.	Not applicable.	Not applicable.
Educational and other qualifications required for direct recruits.	Whether age and educational qualifications prescribed for direct recruits will apply in case of promotees.	Period of probation, if any.	Method of recruitment whether by direct recruitment or by promotion or by deputation / absorption and percentage of vacancies to be filled by various methods.		
7	8	9	10		
Not applicable.	Not applicable.	Not applicable.	By deputation (including short-term contract).		

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[(0) 2002]

In case of recruitment by promotion / deputation / absorption, grades from which promotion / deputation / absorption to be made.	If a Departmental Promotion Committee exists, what is its composition.	Circumstances in which Union Public Service Commission is to be consulted in making recruitment.
11	12	13
<p>Deputation (including short-term contract):</p> <p>Officers of the Central Government or State Governments or Union territories or Universities or Recognised Research Institutions or Public Sector Undertakings or Semi Government or Statutory or Autonomous Organisations,-</p> <p>(a)(i) holding analogous post on regular basis in the parent cadre or Department; or</p> <p>(ii) with two years' regular service in the grade in pay band-2 of Rs.9,300 - 34,800/- plus grade pay of Rs.4800/- or equivalent in the parent cadre or Department;</p> <p>or</p> <p>(iii) with three years' regular service in the grade in Pay band - 2 of Rs.9,300 - 34,800/- plus grade pay 4600/- or equivalent in the parent cadre or Department; and</p> <p>(b) possessing the following educational qualifications and experience:-</p> <p>Essential:</p> <p>(I) A Degree in Law from a recognised University.</p> <p>(II) Three years experience in handling legal matters in a Government Department or University or Research Institution or Public Sector Undertaking or Semi-Government or Autonomous or Statutory</p>	Not applicable.	Consultation with the Union Public Service Commission necessary on each occasion.

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<p>Organization.</p> <p>Desirable:</p> <p>(I) Administrative experience of one year.</p> <p>(II) Undergone foundation course in computer in Institute of Secretariat Training and Management or any other in-service training institution under the aegis of State Government.</p> <p>(III) One year experience in handling matters relating to the Trade Marks Act, 1999 (47 of 1999).</p> <p>Note 1: The period of deputation (including short-term contract) including the period of deputation (including short-term contract) in another ex-cadre post held immediately preceding this appointment in the same or some other organisation or Department of the Central Government shall ordinarily not exceed three years.</p> <p>Note 2: The maximum age limit for appointment by deputation (including short-term contract) shall be not exceeding 56 years as on the closing date of receipt of applications:</p> <p>Note 3: For the purpose of appointment on deputation basis, the service rendered on a regular basis by an officer prior to 1st January, 2006 or the date from which the revised pay structure based on the recommendations of the Sixth Central Pay Commission has been extended, shall be deemed to be service rendered in the corresponding grade pay or pay scale extended based on the recommendations of the said Pay Commission except where there has been merger of more than one pre-revised scale of pay into one grade with a common grade pay or pay scale, and where this benefit will extend only for the post(s) for which that grade pay or pay scale is the normal replacement grade without any upgradation.</p>		
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1	2	3	4	5	6
2. Programmer/ IT Specialist.	1* (2012) *Subject to variation dependent on workload.	General Central Service, Group 'A', Gazetted, Non-Ministerial	Pay band -3 Rs.15,600-39,100/- plus grade pay Rs.5,400/-.	Not applicab le.	Not applicable.

7	8	9	10
Not applicable.	Not applicable.	Not applicable.	By deputation (including short-term contract).

11	12	13
<p>Deputation (including short-term contract):</p> <p>Officers of the Central Government or State Governments or Union territories or Universities or Recognized Research Institutions or Public Sector Undertaking or Semi Government or Statutory or Autonomous Organisations,-</p> <p>(a)(i) holding analogous post on regular basis in the parent cadre or Department; or (ii) with three years' regular service in the grade in pay band - 2 of Rs.9,300 - 34,800/- plus grade pay of Rs.4600/- or equivalent in the parent cadre or Department; or (iii) with eight years' regular service in the grade in pay band-2. of Rs.9,300 - 34,800/- plus grade pay 4200/- or equivalent in the parent cadre or Department; and</p> <p>(b) possessing the following educational qualifications and experience :-</p> <p>Essential:</p> <p>(I) Bachelor's Degree in Engineering in Information Technology or Computer Science or Masters' degree in computer application from a recognised University or Institute. or 'B' level Diploma under Department of Electronics Accreditation of Computer Course Scheme.</p> <p>(II) Three years' experience of electronic data processing work in any Department or Organisation of the Central Government or State Government or Union territory or University or Recognised Research Institution or Public Sector Undertaking or Semi Government or Statutory or Autonomous Organisation out of which at least one year experience should be in actual programming on an electronic computer.</p>	Not applicable.	Consultation with the Union Public Service Commission necessary on each occasion.

Desirable:

(I) Master's Degree in Engineering in Information Technology or Computer Science from a recognized University or Institute.

(II) At least six months training in Computer Programming or System Design or Analysis in a recognised Institute.

(III) Working experience of one year in one or more programming languages, networking and Internet technologies including International Telecommunication Union (ITU) standards in any Department or Organisation of the Central Government or State Government or Union territory or University or Recognised Research Institution or Public Sector Undertaking or Semi Government or Statutory or Autonomous Organisation.

Note 1: The period of deputation (including short-term contract) including the period of deputation (including short-term contract) in another ex-cadre post held immediately preceding this appointment in the same or some other organisation or Department of the Central Government shall ordinarily not exceed three years.

Note 2: The maximum age limit for appointment by deputation (including short-term contract) shall be not exceeding 56 years as on the closing date of receipt of applications.

Note 3: For the purpose of appointment on deputation basis, the service rendered on a regular basis by an officer prior to 1st January, 2006 or the date from which the revised pay structure based on the recommendations of the Sixth Central Pay Commission has been extended, shall be deemed to be service rendered in the corresponding grade pay or pay scale extended based on the recommendations of the said Pay Commission except where there has been merger of more than one pre-revised scale of pay into one grade with a common grade pay or pay scale, and where this benefit will extend only for the post(s) for which that grade pay or pay scale is the normal replacement grade without any upgradation.

[F. No. 2/4/2009-IPR-1]

D. V. PRASAD, Jt. Secy.

3(01)

भारत का राजपत्र : असाधारण

NOTIFICATION

New Delhi, the 4th September, 2012

G.S.R. 666(E).— In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to the posts of Public Information Officer, Accounts Officer and Accountant in the Ministry of Commerce and Industry, Department of Industrial Policy and Promotion, Patent Office in the Office of the Controller General of Patents, Designs and Trade Marks, namely: -

- 1. Short title and commencement.** - (1) These rules may be called the Ministry of Commerce and Industry, Department of Industrial Policy and Promotion, Patent Office in the Office of the Controller General of Patents, Designs and Trade Marks, Public Information Officer, Accounts Officer and Accountant, Group 'B' Posts Recruitment Rules, 2012.

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

- 2. Application .-** These rules shall apply to the posts specified in column 1 of the Schedule annexed to these rules.
- 3. Number of posts, classification, pay band and grade pay or pay scale.** - The number of the said posts, their classification, pay band and grade pay or pay scale attached thereto, shall be as specified in columns 2 to 4 of the said Schedule.
- 4. Method of recruitment, age limit, qualifications, etc.** - The method of recruitment, age limit, qualifications and other matters relating thereto shall be as specified in columns 5 to 13 of the aforesaid Schedule.
- 5. 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 that there are other grounds for so doing, exempt any person from the operation of this rule.

6. **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 and in consultation with the Union Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons.
7. **Saving.** – Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for the Scheduled Castes, the Scheduled Tribes, 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

Name of post.	Number of post.	Classification.	Pay band and grade pay or pay scale.	Whether selection post or non-selection post.	Age limit for direct recruits.
1	2	3	4	5	6
1. Public Information Officer.	1* (2012) *Subject to variation dependent on workload.	General Central Service, Group 'B', Gazetted, Non-Ministerial.	Pay band-2 Rs.9,300-34,800 plus grade pay Rs.4,600/-.	Not applicable.	Not applicable.

Educational and other qualifications required for direct recruits.	Whether age and educational qualifications prescribed for direct recruits will apply in case of promotees.	Period of probation, if any.	Method of recruitment whether by direct recruitment or by promotion or by deputation / absorption and percentage of vacancies to be filled by various methods.
7	8	9	10
Not applicable.	Not applicable.	Not applicable.	By deputation (including short-term contract).

In case of recruitment by promotion/deputation/absorption, grades from which promotion/ deputation/absorption to be made.	If a Departmental Promotion Committee exists, what is its composition.	Circumstances in which Union Public Service Commission is to be consulted in making recruitment.
11	12	13
<p>Deputation (including short-term contract):</p> <p>Officers of the Central Government or State Governments or Union territories or Recognised Research Institutions or Public Sector Undertakings or Semi Government or Statutory or Autonomous Organisations,—</p> <p>(a)(i) holding analogous post on regular basis in the parent cadre or Department; or</p> <p>(ii) with five years' regular service in the grade in pay band-2 of Rs.9,300 – 34,800/- plus grade pay of Rs.4200/- or equivalent in the parent cadre or Department; and</p> <p>(b) possessing the following educational qualifications and experience:-</p> <p>Essential:</p> <p>(I) Degree from a recognised University ;</p> <p>(II) At least two years experience in handling the Public Relations work in the Central Government or State Governments or Union territories or Recognised Research Institutions or Public Sector Undertakings or Semi Government or Statutory or Autonomous Organisations.</p> <p>Desirable:</p> <p>Diploma in Journalism or Mass Communication from a recognised University or Institution.</p> <p>Note 1: The period of deputation (including short-term contract) including the period of deputation (including short-term contract) in another ex-cadre post held immediately preceding this appointment in the same or some other organisation or Department of the Central Government shall ordinarily not exceed three years.</p>	<p>Not applicable.</p>	<p>Consultation with Union Public Service Commission necessary on each occasion.</p>

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Note 2: The maximum age limit for appointment by deputation (including short-term contract) shall be not exceeding 56 years as on the closing date of receipt of applications.

Note 3: For the purpose of appointment on deputation basis, the service rendered on a regular basis by an officer prior to 1st January, 2006 or the date from which the revised pay structure based on the recommendations of the Sixth Central Pay Commission has been extended, shall be deemed to be service rendered in the corresponding grade pay or pay scale extended based on the recommendations of the said Pay Commission except where there has been merger of more than one pre-revised scale of pay into one grade with a common grade pay or pay scale, and where this benefit will extend only for the post(s) for which that grade pay or pay scale is the normal replacement grade without any upgradation.

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1	2	3	4	5	6
2.Accounts Officer.	1* (2012) *Subject to variation dependent on workload.	General Central Service, Group 'B', Gazetted, Ministerial.	Pay band-2 Rs.9,300-34,800 plus grade pay Rs.4,600/-.	Not applicable.	Not applicable.

7	8	9	10
Not applicable.	Not applicable.	Not Applicable.	Promotion/deputation.

11	12	13
<p>Promotion/deputation:</p> <p>Officers of the Central Government, -</p> <p>(a)(i) holding analogous post on regular basis in the parent cadre or Department; or</p> <p>(ii) with five years' regular service in the grade in pay band-2 of Rs.9,300 - 34,800/- plus grade pay of Rs.4200/- or equivalent in the parent cadre or Department; and</p> <p>(b) possessing any one of the following educational qualifications and experience :-</p> <p>(I) A pass in the Subordinate Accounts Service or equivalent examination conducted by any of the Organised Accounts Department of the Central Government; or</p> <p>(II) Successfully completed training in the Cash and Accounts work in the Institute of Secretariat Training and Management or equivalent and possessing experience of two years in Cash, Accounts and Budget work.</p> <p>Note 1: The Departmental Accountant in the pay band-2 Rs.9300-34800 plus grade pay of Rs.4200/- with five years regular service in the grade in the Patent Office will also be considered along with outsiders and in case he or she is selected for appointment to the post, the same shall be deemed to have been filled by promotion.</p> <p>Note 2: The Departmental officers in the feeder category who are in the direct line of promotion will not be eligible for consideration for appointment on deputation and similarly, deputationists shall not be eligible for consideration for appointment by promotion.</p> <p>Note 3: The period of deputation (including short-term contract) including the period of deputation (including short-term contract) in another ex-cadre post held immediately preceding this appointment in the same or some other organisation or Department of the Central Government shall ordinarily not exceed three years.</p>	<p>Not applicable.</p>	<p>Consultation with the Union Public Service Commission necessary on each occasion.</p>

7	8	9	10
<p>A degree from a recognised University or Institution with Commerce or Accounts as one of the subjects.</p> <p>Note: Qualification is relaxable at the discretion of the Staff Selection Commission, for reasons to be recorded in writing, in case of candidates otherwise well qualified.</p>	<p>Not applicable.</p>	<p>Two years.</p>	<p>By direct recruitment:</p> <p>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 on deputation basis from officials of the Central Government, -</p> <p>(a)(i) holding analogous posts on regular basis in the parent cadre or Department; or</p> <p>(ii) with six years' regular service in pay band-1 of Rs.5,200 - 20,200/- plus grade pay of Rs.2800/- or equivalent in the parent cadre or Department; or</p> <p>(iii) with ten years' regular service in pay band-1 of Rs.5,200 - 20,200/- plus grade pay of Rs.2400/- or equivalent in the parent cadre or Department; and</p> <p>(b) having undergone training in cash and accounts work in the Institute of Secretariat Training and Management or equivalent and possess three years experience of cash, accounts and budget work.</p> <p>or</p> <p>a pass in the Subordinate Accounts Service or equivalent examination conducted by any of the organised Accounts Department of the Central Government.</p>

11	12	13
Not applicable.	Group 'B' Departmental Promotion Committee (for confirmation) consisting of: - 1. Controller General of Patents, Designs and Trade Marks - Chairman; 2. Senior Joint Controller of Patents, Designs or Joint Controller of Patents and Designs - Member; 3. Deputy Controller of Patents and Designs or Assistant Controller of Patents and Designs - Member.	Not necessary.

[F. No. 2/4/2009-IPR-1]

D. V. PRASAD, Jt. Secy.

प्राप्त दिनांक : 30/11/2009

प्राप्त का प्रकार : अधिष्ठाता