संख्या- 4/2024/417/सैंतालीस-का-1-2024-13(2)/2024

प्रेषक,

डॉ देवेश चतुर्वेदी ,
अपर मुख्य सचिव,
उत्तर प्रदेश शासन।

सेवा में,

समस्त अपर मुख्य सचिव/प्रमुख सचिव/सचिव,
उत्तर प्रदेश शासन।

कार्मिकअनुभाग-1 **लखनऊ: दिनांक 10 मई, 2024**

विषय:- आदर्श आचार संहिता के दौरान पदोन्नति आदेश निर्गत किये जाने के सम्बन्ध में ।

महोदय,

आप अवगत है कि वर्तमान में आदर्श आचार संहिता प्रभावी है। भारत निर्वाचन आयोग द्वारा निर्गत आदर्श आचार संहिता, 2024 में यह व्यवस्था की गयी है कि आचार संहिता के दौरान बिना आयोग की पूर्व सहमति (clearance) के कोई भी नियुक्ति या पदोन्नति आदेश नहीं निर्गत कियेजायेंगें। उक्त व्यवस्था के आलोक में विभागों द्वारा पदोन्नति/नियुक्ति आदेश निर्गत किये जाने के पूर्व चुनाव आयोग की सहमति (clearance) प्राप्त करने हेतु, स्क्रीनिंग कमेटी के समक्ष प्रकरण प्रस्तुत किये जा रहे थे।

2- इस सम्बन्ध में भारत निर्वाचन आयोग द्वारा स्पष्ट की गयी स्थिति के अनुसार, ऐसे अधिकारी/कर्मचारी जिनकी निर्वाचन प्रक्रिया में सीधे जिम्मेदारी निर्धारित नहीं हैऔर प्रोन्नति के साथ जिनका स्थानांतरण नहीं किया जाना है को उनकी रूटीन पदोन्नति हेतु, भारत निर्वाचन आयोग की अनुमति की आवश्यकता नहीं होगी।

3- अस्तु इस संबंध में मुझे यह कहने का निदेश हुआ है कि ऐसे अधिकारी/कर्मचारी जिनकी निर्वाचन प्रक्रिया में सीधे जिम्मेदारी निर्धारित है (जिनका उल्लेख भारत निर्वाचन आयोग के पत्र दिनांक 02.01.2024 के साथ संलग्न आदर्श आचार संहिता में है, सुसंगत उद्धरण संलग्न) को छोड़कर, अन्य ऐसे कार्मिकों की, जिनकी चयन वर्ष 2023-24 की रिक्तियों के विरूद्ध, आदर्श आचार संहिता लागू होने से पूर्व, विभागीय चयन समिति के माध्यम से चयन की कार्यवाही सम्पन्न की जा चुकी है, चयन समिति की संस्तुति के अनुसार, उत्पन्न हो रही रिक्तियों के सापेक्ष, उसी स्थान पर In-Situ उच्च वेतनमान/उच्च पदास्थान पर प्रोन्नत किया जा सकता है।

अत: उपरोक्तानुसार उल्लिखित व्यवस्था को संज्ञान में लेते हुए पदोन्नति आदेश निर्गत करने की कार्यवाही की जाय।

संलग्नक: उपरोक्तानुसार

भवदीय,
डॉ देवेश चतुर्वेदी
अपर मुख्य सचिव

http://shasanadesh.up.gov.in

1- यह शासनादेश इलेक्ट्रानिकली जारी किया गया है, अत: इस पर हस्ताक्षर की आवश्यकता नही है ।
2- इस शासनादेश की प्रमाणिकता वेब साइट http://shasanadesh.up.gov.in से सत्यापित की जा सकती है ।

संख्या-4/2024/417(1)/सैतालीस-का-1-2024-13(2)/2024, तद्दिनांक

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :-

(1) समस्त विभागाध्यक्ष /प्रमुख कार्यालयाध्यक्ष , उत्तर प्रदेश |

(2) सचिवालय के समस्त अनुभाग |

(3) गार्ड फाइल।

आज्ञा से,
राजेश प्रताप सिंह
विशेष सचिव

http://shasanadesh.up.gov.in

1- यह शासनादेश इलेक्ट्रानिकली जारी किया गया है, अतः इस पर हस्ताक्षर की आवश्यकता नही है ।
2- इस शासनादेश की प्रमाणिकता वेब साइट http://shasanadesh.up.gov.in से सत्यापित की जा सकती है ।

V. On Transfers and posting of officials

(1) No officer connected directly with elections shall be allowed to continue in the present district (revenue district) of posting:-

(i) if she/he is posted in her/his home district.

(ii) if she/he has completed three years in that district during last four (4) years or would be completing 3 years. The three years period shall be reckoned backwards from last day of the month of end of the term of Legislative Assembly of the State. While calculating the period of three years, promotion to a post within the district is to be counted.

(2) Applicability

2.1 District Officers: - These instructions shall cover not only officers appointed for specific election duties like DEOs, Dy. DEOs, RO/AROs, EROs/AEROs, officers appointed as nodal officers of any specific election works but also district officers like ADMs, SDMs, Dy. Collector/Joint Collector, Tehsildar, Block Development Officers or any other officer of equal rank directly deployed for election works.

2.2 Officers other than District Officers: - These instructions shall also cover the officers deputed in Municipal Corporations and Development Authorities, etc.

2.3 Police Officers: - These instructions shall be applicable to the police department officers such as Range ADGs/IGs, DIGs, Commandants of State Armed Police, SSPs, SPs, Addl. SPs, Sub-Divisional Head of Police, SHOs, Inspectors, Sub-Inspector, RIs / Sergeant Majors or equivalent ranks, who are responsible for security arrangement or deployment of police forces in the district at election time. The police officials who are posted in functional departments like computerization, special branch, training, etc. are not covered under these instructions. Following shall be followed:

(i) The Police Sub-Inspectors and above should not be posted in their home district.

(ii) If a Police Sub-Inspector has completed or would be completing a tenure of 3 years out of four years on or before the cutoff date in a police sub-division, then he should be transferred out to a police sub-division which does not fall in the same AC. If that is not possible due to small size of district, then he/she should be transferred out of the district.

2.4 Prohibition and Excise Officers: - Further, these instructions shall also be applicable to the officers of the Prohibition and Excise Department of the State of the rank of Sub-Inspector and above.

(3) Ban on transfer/posting of election related officers-

During the period of implementation of Model Code of Conduct, there shall be a total ban on the transfer of all officers/officials connected with the conduct of the election. These include but are not restricted to: -

(i) The Chief Electoral Officer and Additional/Joint/Deputy Chief Electoral Officers;

(ii) Divisional Commissioners;

(iii) The District Election Officers, Returning Officers, Assistant Returning Officers and other Revenue Officers connected with the Conduct of Elections;

(iv) Officers of the Police Department connected with the management of elections like range IGs and DIGs, Senior Superintendents of Police and Superintendents of Police, Sub-divisional level Police Officers like Deputy Superintendents of Police and other Police officers who are deputed to the Commission under section 28A of the Representation of the People Act, 1951;

(v) Other officers drafted for election works like sector and zonal officers, Transport cell, EVM cell, Poll material procurement & distribution cell, Training cell, Printing Cell etc. Senior officers, who have a role in the management of election in the State, are also covered by this direction.

(vi) The transfer orders issued in respect of the above categories of officers prior to the date of announcement but not implemented till the time when model code came into effect should not be given effect to without obtaining specific permission from the Commission.

(vii) This ban shall be effective till the completion of the election process.

(viii) In those cases where transfer of an officer is considered necessary on account of administrative exigencies, the State Government may, with full justification, approach the Commission for prior clearance.

(ix) No appointments or promotions in Government / Public Undertakings shall be made during this period, without prior clearance of the Commission.

V. On Misuse of Official Machinery

1. Official vehicles cannot be used for electioneering work. 'Official Vehicles' include all vehicles belonging to