

(13)

(14)

समूह 'क' विभागीय प्रोन्नति समिति
(पुष्टि पर विचार करने के लिए):

लागू नहीं होता।

- | | |
|--|----------|
| (i) संयुक्त सचिव (प्रशासन) औद्योगिक नीति एवं संवर्धन विभाग | —अध्यक्ष |
| (ii) महानियंत्रक, पेटेंट, डिजाइन और व्यापार चिन्ह | —सदस्य |
| (iii) संयुक्त सचिव (प्रशासन) वाणिज्य विभाग, कार्मिक और प्रशिक्षण विभाग के का.ज्ञा. संख्या 22012/5/97 (स्था.) (डी) तारीख 12-01-1998 के अनुसार कार्मिक और प्रशिक्षण विभाग का नाम निर्देशित | —सदस्य |
- सीधी भर्ती के आधार पर नियुक्ति के लिए अभ्यर्थियों के चयन के लिए चयन समिति की संरचना
- | | |
|--|----------|
| (1) सचिव, औद्योगिक नीति एवं संवर्धन विभाग | —अध्यक्ष |
| (2) निदेशक के अनिम्न स्तर का एक या अधिक विभागीय अधिकारी जो सचिव औद्योगिक नीति एवं संवर्धन विभाग द्वारा नाम निर्देशित किया जाए | —सदस्य |
| (3) दो या अधिक बाहरी विशेषज्ञ जो सचिव औद्योगिक नीति एवं संवर्धन विभाग द्वारा नाम निर्देशित किया जाए | —सदस्य |
| (4) संयुक्त सचिव (प्रशासन) वाणिज्य विभाग, कार्मिक और प्रशिक्षण विभाग के का.ज्ञा. संख्या 22012/5/97 (स्था.) (डी) तारीख 12-01-1998 के अनुसार कार्मिक और प्रशिक्षण विभाग का नाम निर्देशित | —सदस्य |

- टिप्पण :-** (i) कम से कम समिति के कुल सदस्यों का 50 प्रतिशत जिसके अन्तर्गत अध्यक्ष भी है विभाग के बाहर से होने चाहिए।
- (ii) समिति के सदस्य, निदेशक स्तर से कम न हो।
- (iii) अध्यक्ष से भिन्न समिति के सदस्य की अनुपस्थिति चयन समिति की कार्यवाहियों को अवधिमान्य नहीं ठहराएगी।

[फा. सं. 8/63/2004-आई.पी. आर-1]

एन. एन. प्रसाद, संयुक्त सचिव

टिप्पण :- पूर्वतर नियमों को अधिक्रान्त करते हुए भर्ती नियम भारत के राजपत्र, भाग II, खंड 3, उप-खंड (i) तारीख 13-7-2001 में सा.का.नि. 377 द्वारा प्रकाशित किए गए थे।

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

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

Name of post	No. of post	Classification	Scale of pay	Whether selection post or non-selection post	Whether benefit of added years of service admissible under Rule 30 of the C.C.S. (Pension) Rules 1972
1	2	3	4	5	6
1. Joint Controller of Patents and Designs	2*(2007) *Subject to variation depending upon the workload.	General Central Service, Group 'A', Gazetted Non-Ministerial.	Rs. 14,300-400-18,300/-	Selection	Not applicable
Age limit for direct recruits		Educational and other qualifications required for direct recruits		Whether age and educational qualifications prescribed for direct recruits will apply in case of promotées	Period of probation, if any
7		8		9	10
Not applicable		Not applicable		No	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:	
	11			12	
By promotion failing which by deputation				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/Bio-Physics; OR Degree in Engineering/Technology of a recognised University or equivalent.	

12

(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 recognised University or equivalent.
(ii) Administrative experience.

If a Departmental Promotion Committee exists, what is its composition

Circumstances in which Union Public Service Commission is to be consulted in making recruitment

13

14

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

Not applicable

- (i) Joint Secretary (Administration), Department of Industrial Policy & Promotion —Chairman
(ii) Controller General of Patents, Designs and Trademarks —Member
(iii) Senior Joint Controller of Patents & Designs —Member
(iv) Joint Secretary (Admn.) Department of Commerce* —Member
(*nominee of the Department of Personnel & Training as per DPOT O.M. No. 22012/5/97-Estt(D) dated 12.1.1998).

1	2	3	4	5	6
2. Deputy Controller of Patents and Designs	7*(2007) *Subject to variation depending upon the workload.	General Central Service, Group 'A', Gazetted Non-Ministerial.	Rs. 12,000-375-17,500/-	Selection	Not applicable
7		8		9	10
Not applicable		Not applicable		No	Not applicable

11

12

By promotion failing which by deputation

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 recognised University or equivalent.

12

(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.

13

14.

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

Not applicable

- (i) Joint Secretary (Administration), Department of Industrial Policy and Promotion —Chairman
(ii) Controller General of Patents, Designs and Trademarks —Member
(iii) Senior Joint Controller of Patents and Designs —Member
(iv) Joint Secretary (Admn.), 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).

1	2	3	4	5	6
3. Assistant Controller of Patents and Designs	33*(2007) *Subject to variation depending upon the workload.	General Central Service, Group 'A', Gazetted Non-Ministerial.	Rs. 10,000-325-15,200	Selection	Not applicable
7		8		9	10
Not applicable		Not applicable		No	Not applicable
	11			12	

By promotion failing which by deputation

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.

(ii) 5 years research experience with record of original published paper; OR 5 years experience in supervisory capacity in an Industrial or Engineering Organization of repute; OR 5 years experience in Group 'A' post in Patent Office.

Desirable :

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

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

Not applicable

- (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 (Admn.), 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).

1	2	3	4	5	6
4. Examiner of Patents and Designs	156* (2007) *Subject to variation depending upon the workload.	General Central Service, Group 'A', Gazetted Non-Ministerial.	Rs. 8,000-275-13,500	Not applicable	No

7	8	9	10
Not exceeding 35 years. (Relaxable for Government servants upto 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 Lakshdweep.)	Essential : Masters Degree in Physics/Chemistry/Bio-Chemistry/Microbiology/Molecular Biology/Bio-Technology/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.	Not applicable	Two years

12

By direct recruitment

Not applicable

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.

13

14

Group 'A' Departmental Promotion Committee for considering confirmation :

Not applicable

- (i) Joint Secretary (Administration), Department of Industrial Policy & Promotion —Chairman
(ii) Controller General of Patents, Designs and Trademarks —Member
(ii) Joint Secretary (Admn.), 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. —Member
(3) Two or more outside experts to be nominated by Secretary, Department of Industrial Policy and Promotion. —Member
(4) Joint Secretary (Administration), Department of Commerce* —Member

(*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-1]

N. N. PRASAD, Jt. Secy.

Note : The Recruitment Rules in supersession of earlier rules were published in Part II, Section 3, Sub-section (i) of Gazette of India dated 13-07-2001 vide GSR No. 377.