

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

NOTIFICATION

New Delhi, the 19th August, 2003

G.S.R. 689(E).— In exercise of the powers conferred by the proviso to article 309 of the Constitution and in supersession of the Patent Office (Administrative Officer) Recruitment Rules, 1989, published vide G.S.R. 459 dated 6th June, 1989 in the Government of India in the erstwhile Ministry of Industry, Department of Industrial Development and notified in Part II, Section 3, Sub-Section (i) dated 1st July, 1989; except as respects things done or omitted to be done before such supersession, the President hereby makes the following rules regulating the method of recruitment to the said post in the Patent Office, namely:--

1. **Short title and commencement.** - (1) These rules may be called the Patent Office (Administrative Officer) Recruitment Rules, 2003.

(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 post, its classification and the scale of pay attached thereto, shall be as specified in columns (2) to (4) of the Schedule annexed hereto.

3. **Method of recruitment, age limit, qualifications, etc.** - The method of recruitment to the said post, age limit, qualifications and other matters relating thereto, shall be as specified in columns (5) to (14) of the said Schedule.

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 that 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 in respect of any class or category of persons.

6. **Saving.** - Nothing in these rules shall affect reservations, relaxation of age limit and other concessions required to be provided for the Scheduled Castes, 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	Number of post	Classification	Scale of pay
1	2	3	4
Administrative Officer	*4 (2003) *Subject to variation dependent on workload.	General Central Service Group 'B' Gazetted, Ministerial	Rs. 6500-200-10500
Whether selection or non-selection post	Age limit for direct recruits.	Whether benefit of added years of service admissible under Rule 30 of the Central Civil Services (Pension) Rules, 1972	Educational & other qualification required for direct recruits
5	6	7	8
Selection	Not Applicable	Not Applicable	Not Applicable
Whether age and educational qualification	Period of probation, if any	Method of recruitment, whether by direct recruitment or by promotion or by deputation/absorption and	

prescribed for direct recruits will apply in the case of promotees

percentage of the posts to be filled by various methods

9	10	11
Not Applicable	Not Applicable	Promotion failing which by deputation

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 to be consulted in making recruitment

12	13	14
Promotion: Office Superintendent in the of Rs. 5500-9000 with three years' regular service in the grade.	Group 'B' Departmental Promotion Committee (for considering promotion)	Consultation with Union Public Service Commission pay scale necessary while appointing an officer on deputation.

Note: Where juniors who have completed their qualifying/eligibility service are being considered for promotion, their seniors would also be considered provided they are not short of the requisite qualifying/eligibility service by more than half of such qualifying/eligibility service or two years, whichever is less, and have successfully completed their probation period for promotion to the next higher grade along with their juniors who have already completed such qualifying/eligibility service.

1. Controller General of Patents, Designs and Trade Marks: Chairman
2. Joint Controller/Deputy Controller In-charge of Administration in Patent Office: Member

Deputation:
Officers of the Central/
State Government -

(a) (i) Holding analogous posts on regular basis in the parent cadre/department; or
(ii) with three years' service in the grade rendered after appointment thereto on a regular basis in the pay scale of Rs.5500-9000; or equivalent in the parent cadre/department and

(b) possessing two years' experience in administration, establishment and accounts matters.

The Departmental officers in the feeder category who are in the direct line of promotion shall not be eligible for consideration for appointment on deputation. Similarly, deputationists shall not be eligible for consideration for appointment by promotion.

(Period of deputation including period of deputation in another ex-cadre post held immediately preceding this appointment in the same or some other organisation /department of the Central Government shall not exceed three years. The maximum age limit for appointment by deputation shall be not exceeding 56 years as on the closing date of receipt of applications).

[F. No. 8/31/2002/PP&C]

Y. P. VASHISHAT, Under Secy.