

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT

Mantralaya, Mumbai 400 032, dated 6th August 2009

NOTIFICATION

CONSTITUTION OF INDIA.

No. FDE. 1393/CR-133/Lab-1.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and in supersession of all existing rules, order or instruments made in this behalf, the Governor of Maharashtra is hereby pleased to make the following rules regulating recruitment to the posts, of Director, Additional Director, Joint Director, Deputy Director (Group-A) and Assistant Director (Group-B), in the office of the Directorate of Industrial Safety and Health under the Industries, Energy and Labour Department of Government of Maharashtra, namely :—

1. These rules may be called Director, Additional Director, Joint Director, Deputy Director (Group-A) and Assistant Director (Group-B) in the Directorate of Industrial Safety and Health (Recruitment) Rules, 2009.

2. In these rules unless the context requires otherwise,—

(a) "Commission" means the Maharashtra Public Service Commission ;

(b) "Degree" means a degree of a statutory university ;

(c) "Department" means the Department of Industries, Energy and Labour Department of Government ;

(d) "Director" means the Director of Industrial Safety and Health, of the Directorate ;

(e) "Directorate" means the Directorate of Industrial Safety and Health, under Industries, Energy and Labour Department of the Government ;

(f) "Government" means the Government of Maharashtra ;

(g) "Recognised Institution" means an Institution recognised by the Government.

3. Appointment to the post of Director, Group-A in the Directorate shall be made, by promotion of a suitable person, on the basis of strict selection with due regard to seniority from amongst the persons, holding the post of Additional Director having not less than three years of regular service in that post.

4. Appointment to the post of Additional Director, Group-A in the Directorate shall be made, by promotion of a suitable person, on the basis of strict selection with due regard to seniority from amongst the persons, holding the post of Joint Director for a period of not less than three years of regular service in that post.

5. Appointment to the post of Joint Director, Group-A in the Directorate shall be made, by promotion of a suitable person, on the basis of strict selection with due regard to seniority from amongst the persons, holding the post of Deputy Director for a period of not less than three years of regular service in that post.

6. Appointment to the post of Deputy Director, Group-A in the Directorate shall be made either—

(a) by promotion of a suitable person, on the basis of seniority subject to fitness from amongst the persons holding the post of Assistant Director for a period of not less than three years of regular service in that post.

OR

(b) by nomination from amongst the candidates who—

(i) are not more than thirty-five years of age :

Provided that, the age limit may be relaxed by ten years in case of persons already serving the Government ;

(ii) possess a degree in Mechanical or Electrical or Electronics or Instrumentation or Chemical Engineering or Chemical Technology of a Statutory University at least in IInd class or any other qualification recognized by the Government to be equivalent thereto ;

(iii) (A) possess not less then seven years practical experience in any factory in repair and maintenance of machinery, production; and an experience of the supervisory or managerial cadre in Safety and Health Department after acquiring the qualification mentioned in clause (ii) above.

OR

(B) possess experience of not less than three years on the post of Assistant Director, Industrial Safety and Health :

Provided further that, if candidates with the prescribed period of experience are not available in sufficient number, the period of experience may be relaxed by two years in case of persons qualified under (A) above.

(iv) have inadequate knowledge of Marathi language :

Provided that preference shall be given to those having knowledge in the regulations regarding Safety, Health, Pollution and Environment ; Site selection Plants and machinery layout, Industrial building ; Regulations regarding Accident prevention, Risk analysis, On-site Emergency plan and its Implementation; Occupational disease and its Prevention and control.

7. Appointment to the post of Assistant Director (Group-B) in the Directorate shall be made by nomination from amongst the candidates who—

(i) in case of candidates, other than the candidates belonging to backward classes, are not more than 33 years of age, and in case of candidates belonging to backward classes, are not more than 38 years of age :

Provided that, the age limit may be relaxed by ten years in case of person already in the Government Service ;

(ii) possess a degree in Mechanical or Electrical or Electronics or Instrumentation or Chemical Engineering or Chemical Technology at least IInd Class or any other qualification recognised by the Government to be equivalent thereto.

(iii) possess not less than two years practical experience in any factory in repair and maintenance of machinery, production and have an experience of the supervisory or managerial cadre in safety and health department after acquiring the qualification mentioned in clause (ii) above.

(iv) have adequate knowledge of Marathi language.

8. Notwithstanding anything contained in clauses (a) (ii), (b) (iii) of rule 6 and clauses (ii) and (iii) of rule 7, if at any stage of selection, selecting authority is of the opinion that sufficient number of candidates possessing the requisite academic qualifications or experience are not available to fill up the Vacancies reserved for candidates belonging to Scheduled castes, Scheduled castes converts to Buddhism, Scheduled Tribes, Denotified Tribes or Nomadic Tribes, then the selecting authority may relax the requirement in respect of the Class in the educational qualification, or the period of experience, or both set out therein in selection of suitable candidates belonging to such Castes or Tribes.

9. The person appointed to the post in rule Nos. 6 and 7 by nomination, shall be on probation for a period of two years, probation period may be extended for a period not exceeding one year. Person appointed to the post shall be required to pass the Departmental examination and complete the probation successfully. If he does not complete the probation successfully within the prescribed extended period; or does not pass the prescribed examination; or is not found suitable for the post, then he shall be liable for termination from the service without prior notice.

10. Appointments to the post mentioned in rule No. 6 by promotion and nomination shall be made in the ratio of 75:25.

11. A person appointed to any of the post mentioned in rule Nos. 3, 4, 5, 6 and 7 should possess a Certificate in Computer Operation prescribed by the Directorate of Unformation Technology of the Government from time to time.

12. A person appointed to any post mentioned in rule Nos. 3, 4, 5, 6 and 7 whether by promotion or by nomination, shall be required to pass the Departmental examination in Hindi and Marathi language according to the rules made in this behalf, unless he has already passed or has been exempted from passing those examinations.

13. A person appointed in the post mentioned in rule Nos. 4, 5, 6 and 7 shall be liable to be transferred anywhere in the State of Maharashtra.

By order and in the name of the Governor of Maharashtra,

KAVITA GUPTA,
Secretary (Labour),
Government of Maharashtra.