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THE GAZETTE OF INDIA: EXTRAORDINARY

[PART II—SEC. 3(i)]

(13)	(14)
समूह 'ख' विभागीय प्रोन्नति समिति (प्रोन्नति और पुष्टि के लिए)—	सीधी भर्ती करते समय और किसी अधिकारी की प्रति-नियुक्ति पर नियुक्ति करते समय, संघ लोक सेवा आयोग से परामर्श करना आवश्यक है ।
(i) महानियंत्रक, पेटेंट, डिजाइन और व्यापार चिह्न —अध्यक्ष	
(ii) ज्वेष्ठ संयुक्त रजिस्ट्रार/संयुक्त रजिस्ट्रार, व्यापार चिह्न और भौगोलिक उपदर्शन —सदस्य	
(iii) उप रजिस्ट्रार/संयुक्त रजिस्ट्रार, व्यापार चिह्न और भौगोलिक उपदर्शन —सदस्य	

[फा. सं. 8/16/2005-आईपीआर-1]

बी. भास्कर, संयुक्त सचिव

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

NOTIFICATION

New Delhi, the 17th February, 2011

G. S.R. 97(E).—In exercise of the powers conferred by the proviso to article 309 of the Constitution and in supersession of the Trade Marks Registry (Group A and Group B Gazetted posts) Recruitment Rules, 2000, in so far as they relate to the posts of Joint Registrar of Trade Marks, Deputy Registrar of Trade Marks, Assistant Registrar of Trade Marks, Senior Examiner of Trade Marks, Examiner of Trade Marks 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 posts in the Trade Marks and Geographical Indications Registry in the Office of the Controller General of 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 Trade Marks and Geographical Indications Registry (Registrars and Examiners) Recruitment Rules 2011.

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

2. Number of post, classification, pay band and grade pay/scale of pay.—The number of posts, their classification and the pay band and grade 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 post, age limit, qualifications and other matters relating to the said post 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 posts :

Provided that the Central Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and 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 with respect of any class or category of persons.

6. Savings.—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.

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SCHEDULE

Name of post	Number of posts	Classification	Pay Band, and Grade Pay/ Pay Scale	Whether Selection or Non-selection post	Whether benefit of added years of service admissible under Rule 30 of the Central Civil Services (Pension) Rules, 1972	Age limit for direct recruits
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. Senior Joint Registrar of Trade Marks and Geographical Indications	02* (2011) *Subject to variation dependent workload	General Central Service, Group 'A', Gazetted, Non Ministerial	PB-4 Rs. 37,400-67,000 (Grade Pay Rs. 8,900/-)	Selection	Not applicable	Not applicable

Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees	Period of probation, if any
(8)	(9)	(10)
Not applicable	Not applicable	Not applicable

Method of recruitment : Whether by direct recruitment or by promotion or by deputation/absorption and percentage of the vacancies to be filled by various methods

In case of recruitment by promotion or deputation or absorption, grades from which promotion or deputation or absorption to be made

(11)	(12)
Promotion failing which by deputation (including short-term contract)	<p>Promotion : Joint Registrar of Trade Marks and Geographical Indications in the pay band-4 in the scale of pay of Rs. 37,400-67,000 with grade pay of Rs.8,700 with two years regular service in the grade. Note : Where juniors who have completed their qualifying or eligibility service are being considered for promotion, their seniors would also be considered provided they are not short of the requisite qualifying or eligibility service by more than half of such qualifying or 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 or eligibility service.</p> <p>Deputation (Including short-term contract) : 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 Autonomous or Statutory Organisations :</p> <p>(a) (i) holding analogous posts on regular basis in the parent cadre or Department; OR</p>

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(ii) with two years service in the grade rendered after appointment thereto on a regular basis in posts in Pay Band-4 of Rs. 37400-67000 with grade pay of Rs. 8700 or equivalent in the parent cadre or department; and (b) possessing the following educational qualifications and experience :

Essential :

(i) Degree in Law from a recognised University.

(ii) Twelve years practice at a Bar or Twelve years experience in a State Judicial Service or in the Legal Department of a State Government or of the Central Government or in the processing of applications for registration filed under the Trade Marks Act or Geographical Indications Act or in teaching law in a recognised University or Institute.

or

Masters Degree in Law of a recognised University with ten years' experience in teaching law or in conducting research in law in a recognised University or Research Institution.

Desirable :

Ph. D. in Intellectual Property from a recognised University.

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 (including short-term contract). Similarly, deputationists shall not be eligible for consideration for appointment by promotion:

[Period of deputation (including short-term contract) including 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 to exceed five years. The maximum age limit for appointment by deputation (including short-term contract) shall not be exceeding 56 years as on the closing date of receipt of applications].

If a Departmental Promotion Committee exists, what is its composition	Circumstances in which Union Public Service Commission is to be consulted in making recruitment
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Group 'A' Departmental Promotion Committee (for considering Promotion) consisting of :	Consultation with Union Public Service Commission necessary while appointing an officer on deputation (including short-term contract).
(i) Chairman/Member, Union Public Service Commission —Chairman	
(ii) Joint Secretary (Administration), Department of Industrial Policy and Promotion —Member	
(iii) Controller General of Patents, Designs and Trade Marks —Member	

(1)	(2)	(3)	(4)	(5)	(6)	(7)
2. Joint Registrar of Trade Marks and Geographical Indications	04* (2011) *Subject to variation dependent workload	General Central Service, Group 'A', Gazetted, Non-Ministerial	PB-4, Rs. 37,400-67,000 (Grade Pay Rs. 8,700)	Selection	Not applicable	Not applicable

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(8)	(9)	(10)
Not applicable	Not applicable	Not applicable
(11)	(12)	

Promotion failing which by deputation (including short-term contract)

Promotion :

Dputy Registrar of Trade Marks and Geographical Indications in Pay Band-3 in the scale of pay of Rs. 15,600-39,100 with grade pay of Rs. 7,600 with five years regular service in the grade.

Note : Where juniors who have completed their qualifying or eligibility service are being considered for promotion, their seniors would also be considered provided they are not short of the requisite qualifying or eligibility service by more than half of such qualifying or 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 or eligibility service.

Deputation (Including short-term contract) :

Officers of the Central Government or State Government or Union Territories or Universities or Recognised Research Institutions or Public Sector Undertakings or Semi-Government or Statutory or Autonomous Organisations :—

(a) (i) holding analogous posts on regular basis in the parent cadre or Department; OR

(ii) with five years service in the grade rendered after appointment thereto on a regular basis in posts in Pay Band-3 in the scale of pay of Rs.15,600-39,100 with grade pay of Rs. 7600 or equivalent in the parent cadre or department; and (b) possessing the following educational qualifications and experience :

Essential :

(i) Degree in Law from a recognised University.

(ii) Twelve years experience at a Bar or Twelve years experience in a State Judicial Service or in the Legal Department of a State Government or of the Central Government or in the processing of applications for registration filed under the Trade Marks Act or Geographical Indications Act or in teaching law in a recognised University or Institute.

OR

Masters Degree in Law of a recognised University with ten years' experience in teaching law or in conducting research in law in a recognised University or Institution.

Desirable :

Ph. D. in Intellectual Property of a recognised University.

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 (including short-term contract). Similarly, deputationists shall not be eligible for consideration for appointment by promotion.

[Period of deputation (including short-term contract) including 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 to exceed five years. The maximum age limit for appointment by deputation (including short-term contract) shall not be exceeding 56 years as on the closing date of receipt of applications].

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Group 'A' Departmental Promotion Committee (for Promotion) consisting of:— (i) Chairman/Member, Union Public Service Commission —Chairman (ii) Joint Secretary (Administration), Department of Industrial Policy and Promotion —Member (iii) Controller General of Patents, Designs and Trade Marks —Member	Consultation with Union Public Service Commission necessary while appointing an officer on deputation (including short-term contract).

(1)	(2)	(3)	(4)	(5)	(6)	(7)
3. Deputy Registrar of Trade Marks and Geographical Indications	10*(2011) *Subject to variation dependent on workload	General Central Service, Group 'A', Gazetted, Non Ministerial	PB-3, Rs. 15,600-39,100 (Grade Pay Rs. 7,600)	Selection	Not applicable	Not exceeding 50 years (Relaxable for Government servants up to five 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, Ladakh Division of Jammu and Kashmir State, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal Pradesh, Andaman and Nicobar Islands or Lakshadweep).

(8)	(9)	(10)
Essential: I. (i) Degree in Law of a recognised University; (ii) ten years practice at a Bar or ten years experience in the State Judicial Service or in the Legal Department of a State Government or of the Central Government or in the processing of applications for registration filed under the Trade Marks Act or Geographical Indications Act or in teaching law in a recognised University. OR II. Master's Degree in Law of a recognised University with eight years experience in teaching law or in conducting research in law in a recognised University or research Institution.	Age : No Educational Qualifications : Yes	One year for direct recruits

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Desirable:

Ph. D in Intellectual Property from a recognised University.

Note 1 : Qualifications are relaxable at the discretion of the Union Public Service Commission, for reasons to be recorded in writing, in the case of candidates otherwise well qualified.

Note 2 : The qualification regarding experience is relaxable at the discretion of the Union Public Service Commission, for reasons to be recorded in writing, in the case of candidates belonging to the Scheduled Castes or the Scheduled Tribes, if at any stage of selection the Union Public Service Commission is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the posts reserved for them.

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80% by promotion failing which by deputation (including short-term contract) failing both by direct recruitment.
20% by direct recruitment.

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Promotion :

Assistant Registrar of Trade Marks and Geographical Indications in Pay Band-3 in the scale of pay of Rs. 15,600-39,100 with Grade Pay of Rs. 6,600 with five years regular service in the grade.

Note : Where juniors who have completed their qualifying or eligibility service are being considered for promotion, their seniors would also be considered provided they are not short of the requisite qualifying or eligibility service by more than half of such qualifying or 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 or eligibility service

Deputation (including short-term contract) :

Officers under the Central or State Governments or Union Territories or Universities or Recognized Research Institutions or Public Sector Undertakings or Semi Government or Autonomous or Statutory Organisations :

(a) (i) holding analogous posts on regular basis in the parent cadre or Department; Or

(ii) with five years' service rendered after appointment thereto on a regular basis in posts in Pay Band-3 in the scale of pay of Rs. 15,600-39,100 with Grade Pay of Rs. 6,600 or equivalent in the parent cadre or Department; and

(b) Possessing the educational qualifications and experience prescribed for direct recruits under column (8).

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 (including short-term contract). Similarly, deputationists shall not be eligible for consideration for appointment by promotion.

[Period of deputation (including short-term contract) including period of deputation (including short-term contract) in another ex-cadre post held immediately preceding this appointment in the same or some other

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organisation or department of the Central Government shall ordinarily not exceed four years. The maximum age-limit for appointment by deputation (including short-term contract) shall not be exceeding 56 years as on the closing date of receipt of applications).

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Group 'A' Departmental Promotion Committee (for promotion) consisting of :—

- (i) Chairman/Member, Union Public Service Commissioner —Chairman
 (ii) Joint Secretary (Administration), Department of Industrial Policy and Promotion —Member
 (iii) Controller General of Patents, Designs and Trade Marks —Member

Consultation with Union Public Service Commission necessary while making direct recruitment and appointing an officer on deputation (including short-term contract).

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

- (i) Joint Secretary (Administration), Department of Industrial Policy and Promotion —Chairman
 (ii) Controller General of Patents, Designs and Trade Marks —Member
 (iii) Senior Joint Registrar/Joint Registrar of Trade Marks and Geographical Indications —Member

(1)	(2)	(3)	(4)	(5)	(6)	(7)
4. Assistant Registrar of Trade Marks and Geographical Indications	20* (2011) *Subject to variation dependent on workload.	General Central Service, Group 'A' Gazetted, Non-Ministerial	Pay Band-3, Rs. 15600-39,100, Grade Pay Rs. 6600	Selection	Not applicable	Not exceeding 40 years. (Relaxable for Government servants up to five 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, Ladakh Division of Jammu and Kashmir State, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal Pradesh, Andaman and Nicobar Islands and Lakshadweep).

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Essential :

I. (i) Degree in Law from a recognised University;
 (ii) five years practice at a Bar or five years' experience in the State Judicial Service or in the Legal Department of a State Government or of the Central Government or in the processing of applications for registration filed under the Trade Marks Act or Geographical Indications Act or in teaching law in a recognised University.

Age : No

Educational Qualifications : Yes

One year for direct recruits.

OR

II. Master's Degree in Law of a recognised University with three years experience in teaching law or in conducting research in law in a recognised University or Research Institution.

Note 1 : Qualifications are relaxable at the discretion of the Union Public Service Commission, for reasons to be recorded in writing, in the case of candidates otherwise well qualified.

Note 2 : The qualification regarding experience is relaxable at the discretion of the Union Public Service Commission, for reasons to be recorded in writing, in case of candidates belonging to the Scheduled Castes or the Scheduled Tribes, if at any stage of selection the Union Public Service Commission is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the posts reserved for them.

Desirable:

Ph. D in Intellectual Property from a recognised University.

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66.67% by promotion failing which by deputation (including short-term contract) failing both by direct recruitment.
 33.33% by direct recruitment.

Promotion :

Senior Examiner of Trade Marks and Geographical Indications in Pay Band-3 in the scale of pay of Rs. 15,600-39,100 with Grade Pay of Rs. 5,400 with five years regular service in the grade.

Note : Where juniors who have completed their qualifying or eligibility service are being considered for promotion, their seniors would also be considered provided they are not short of the requisite qualifying or eligibility service by more than half of such qualifying or 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 or eligibility service.

Deputation (including short-term contract):

Officers under the Central or State Governments or Union Territories or Universities or Recognized Research Institutions or Public Sector

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Undertakings or Semi-Government or Autonomous or Statutory Organisations :

(a) (i) holding analogous posts on regular basis in the parent cadre or Department; Or

(ii) with five years' service rendered after appointment thereto on a regular basis in posts in Pay Band-3 in the scale of pay of Rs.15,600-39,100 with Grade Pay of Rs. 5,400 or equivalent in the parent cadre or Department; and

(b) Possessing the educational qualifications and experience prescribed for direct recruits under column (8).

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 (including short-term contract). Similarly, deputationists shall not be eligible for consideration for appointment by promotion.

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

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Group 'A' Departmental Promotion Committee (for promotion and confirmation):

- | | |
|--|-----------|
| (i) Joint Secretary (Administration), Department of Industrial Policy and Promotion | —Chairman |
| (ii) Controller General of Patents, Designs and Trade Marks | —Member |
| (iii) Senior Joint Registrar/Joint Registrar of Trade Marks and Geographical Indications | —Member |

Consultation with Union Public Service Commission necessary while making direct recruitment and appointing an officer on deputation (including short-term contract).

(1)	(2)	(3)	(4)	(5)	(6)	(7)
5. Senior Examiner of Trade marks and Geographical Indications	25* (2011) *Subject to variation dependent on workload	General Central Service, Group 'A' Gazetted, Non-Ministerial	Pay Band-3, Rs.15600—39100 (Grade Pay of Rs. 5400)	Selection	Not applicable	Not exceeding 35 years. (Relaxable for Government servants up to five 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,

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Ladakh Division of Jammu and Kashmir State, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal Pradesh, Andaman and Nicobar Islands or Lakshadweep).

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Essential :

(i) Degree in Law of a recognised University;
(ii) three years experience in handling Court cases and other legal matters or matters relating to Trade Marks or Geographical Indications.

Note 1 : Qualifications are relaxable at the discretion of Union Public Service Commission, for reasons to be recorded in writing, in the case of candidates otherwise well qualified.

Note 2 : The qualification regarding experience is relaxable at the discretion of the Union Public Service Commission, for reasons to be recorded in writing, in the case of candidates belonging to the Scheduled Castes or the Scheduled Tribes, if at any stage of selection the Union Public Service Commission is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the posts reserved for them.

Desirable :

Masters degree in Intellectual Property from a recognised University.

Age : No

Educational qualifications : Yes

One year for direct recruits, and promotees.

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75% by promotion failing which by deputation (including short-term contract)
25% by direct recruitment.

Promotion :

Examiner of Trade Marks and Geographical Indications in Pay Band-2 in the scale of pay of Rs. 9,300-34,800 with Grade Pay of Rs. 4,600 with three years regular service in the grade.

Note 1 : Where juniors who have completed their qualifying or eligibility service are being considered for promotion, their seniors would also be considered provided they are not short of the requisite qualifying or eligibility service by more than half of such qualifying or 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 or eligibility service.

Note 2 : For the purpose of computing minimum qualifying service for promotion, the service rendered on regular basis by an officer prior to the 1st day of January, 2006 (the date from which the revised pay structure based on the Sixth Central Pay Commission recommendations

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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 Pay Commission.

Deputation (including short-term contract):

Officers under the Central or State Governments or Union Territories or Universities or Recognized Research Institutions or Public Sector Undertakings or Semi-Government or Autonomous or Statutory Organisations :

(a) (i) holding analogous posts on regular basis in the parent cadre or Department; Or

(ii) with three years' service in the grade rendered after appointment thereto on a regular basis in posts in Pay Band-2 in the scale of pay of Rs. 9,300-34,800 with Grade Pay of Rs. 4,600 or equivalent in the parent cadre or Department; and

(b) Possessing the educational qualifications and experience prescribed for direct recruits under column (8).

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 (including short-term contract). Similarly, deputationists shall not be eligible for consideration for appointment by promotion.

[Period of deputation (including short-term contract) including 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 to exceed three years. The maximum age limit for appointment by deputation (including short-term contract) shall not be exceeding 56 years as on the closing date of receipt of applications].

Note : For the purpose of appointment on deputation (including short-term contract) basis, the service rendered on a regular basis by an officer prior to 1st day of January, 2006 (the date from which the revised pay structure based on the Sixth Central Pay Commission recommendations 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 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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Group 'A' Departmental Promotion Committee (for Promotion)
consisting of:—

(i) Chairman/Member, Union Public Service Commission —Chairman

(ii) Joint Secretary (Administration), Department of Industrial Policy and Promotion —Member

(iii) Controller General of Patents, Designs and Trade Marks —Member

Group 'A' Departmental Promotion Committee (for confirmation)
consisting of:—

(i) Joint Secretary (Administration), Department of Industrial Policy and Promotion —Chairman

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Consultation with Union Public Service Commission necessary on each occasion.

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- (ii) Controller General of Patents, Designs and Trade Marks —Member
- (iii) Senior Joint Registrar/Joint Registrar of Trade Marks and Geographical Indications —Member

(1)	(2)	(3)	(4)	(5)	(6)	(7)
6. Examiner of Trade Marks and Geographical Indications	61*(2011) *Subject to variation dependent on Workload	General Central Service, Group 'B' Gazetted, Non-Ministerial	Pay Band-2, Rs. 9300— 34800 plus (Grade Pay of Rs. 4600)	Selection	Not applicable	Not exceeding 30 years. (Relaxable for Government servants up to five 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, Ladakh Division of Jammu and Kashmir State, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal Pradesh, Andaman and Nicobar Islands or Lakshdweep).

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Essential :

- (i) Degree in Law of a recognised University;
- (ii) two years experience in handling Court cases and other legal matters or in handling matters of Trade Marks and Geographical Indications.

Desirable:

Masters' Degree in Intellectual Property of a recognised University.

Note 1 : Qualifications are relaxable at the discretion of Union Public Service Commission, for reasons to be recorded in writing, in the case of candidates otherwise well qualified.

Note 2 : The qualification regarding experience is relaxable at the discretion of the Union Public Service Commission, for reasons to be recorded in writing, in the case of candidates belonging to the Scheduled Castes or the Scheduled Tribes, if

Two years for direct recruits.

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at any stage of selection the Union Public Service Commission is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available for the posts reserved for them.

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25% by promotion ~~falling~~ which by deputation
75% by direct recruitment.

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Promotion :

Assistant Examiner of Trade Marks and Geographical Indications in the Pay Band-2 in the scale of pay of Rs. 9,300-34,800 with Grade Pay of Rs. 4,200 with five years' regular service in the grade.

Note 1 : Where juniors who have completed their qualifying or eligibility service are considered for promotion, their seniors would also be considered provided they are not short of the requisite qualifying or eligibility service by more than half of such qualifying or 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 or eligibility service.

Note 2 : For the purpose of computing minimum qualifying service for promotion, the service rendered on regular basis by an officer prior to 1st day of January, 2006 (the date from which the revised pay structure based on the Sixth Central Pay Commission recommendations 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 Pay Commission.

Deputation :

Officers under the Central or State Governments or Union Territories :
(a) (i) holding analogous posts on regular basis in the parent cadre or Department; OR

(ii) with five years' service in the grade rendered after appointment thereto on a regular basis in posts in Pay Band-2 in the scale of pay of Rs. 9,300-34,800 with Grade Pay of Rs. 4,200 or equivalent in the parent cadre or Department; and

(b) Possessing the educational qualifications and experience prescribed for direct recruits under column (8).

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 (including short-term contract). Similarly, deputationists shall not be eligible for consideration for appointment by promotion.

[Period of deputation (including short-term contract) including 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 not exceed five years. The maximum age limit for appointment by deputation (including short-term contract) shall not be exceeding 56 years as on the closing date of receipt of applications].

Note : For the purpose of appointment on deputation (including short-term contract) basis, the service rendered on a regular basis by an officer prior to the 1st day of January, 2006 (the date from which the

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[भाग II—खण्ड 3(i)]

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(12)

revised pay structure based on the Sixth Central Pay Commission's recommendations 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 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.

(13)

(14)

Group 'B' Departmental Promotion Committee (for promotion or confirmation) consisting of:

- | | |
|---|-----------|
| (i) Controller General of Patents, Designs and Trade Marks | —Chairman |
| (ii) Senior Joint Registrar/Joint Registrar of Trade Marks and Geographical Indications | —Member |
| (iii) Deputy Registrar/Assistant Registrar of Trade Marks and Geographical Indications | —Member |

Consultation with the Union Public Service Commission necessary while making direct recruitment and appointing an officer on deputation.

[F. No. 8/16/2005-IPR-I]
V. BHASKAR, Jt. Secy.