

Senior Assistants

(Authoritative English text of this Department Notification No.IPH (A) (3)-2/94 dated 23.12.95 as required under Article 348 (3)of Constitution of India.

Government of Himachal Pradesh
Irrigation& Public Health Department

.No.IPH.-A(3)-2/94

Dated: 23.12.95.

NOTIFICATION

In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh in consultation with the Himachal Pradesh Public Service Commission is pleased to make the Recruitment and Promotion Rules for the post of Senior Assistants (Class-111 Non-Gazetted) in Irrigation and Public Health Department as per Annexure-1 appended to this notification namely :-

SHORT TITLE AND
Pradesh,
COMMENCEMENT:

1. (1) These rules may be called Himachal
Department of Irrigation and Public Health,
Senior Assistants (Class-111 Non-Gazetted
Recruitment and Promotion Rules, 1995.

(2) These rules shall come into force from the date
of
publication in Rajpatra, H. P.

REPEAL & SAVINGS:

2. (1) The R&P Rules for the post of Senior
Assistant in the PW Deptt., Irrig. and P.H.
Deptt., notified vide notification No.PBW-2-
B -(2)-83/86, dated 19.12.87and made
applicable
to the IPH Deptt. vide Notification
No.PBW-2-B-(13) 20/84 dated 27.4.94 are
hereby repealed to the extent these are
applicable to Irrig. & P H Department.

(2) Notwithstanding such repeal any anything
done or any action taken under the relevant
rules, so repealed under Rule(i) supra, shall
be deemed to have been validly made done
or taken under these rules.

By order,
(C.P. Sujaya)

Financial Commissioner-cum-Secy.(IPH)
to the Govt.of Himachal Pradeshs.

No.IPH..A(3)-2/94-

Dated: Shismla-171001, the

23.12.1995.

Copy forwarded to:-

1. All the Secretaries/Special Secretaries /Additional Secretaries /Joint Secretaries/Deputy Secretaries/Under Secretaries to the Govt. of H.P.
2. All Heads of Departments in Himachal Pradesh.
3. The Engineer-in-Chief, IPH Department, Shimla-171001 with 20 spare copies.
4. The Chief Engineer (N) IPH Department Dharamshala.
5. The Controller Printing & Stationery, H.P.Govt. Press, Shimla-171005, for publication in the Rajpatra.
6. All the Superintending Engineers /Executive Engineers in Irrigation & Public Health Department in H.P.
7. The Secretary, H.P. Public Service Commission, Shimla-2 with reference to his letter No.1-4/95-PSC, dated: 20.7.95, with three spare copies.
8. The Guard file.

A

Sd./-

Joint Secretary (IPH) to the
Govt. of Himachal Pradesh..

.....

ANNEXURE-1.

RECRUITMENT AND PROMOTION RULES FOR THE POST OF SENIOR ASSISTANT (NON-GAZETTED) CLASS-111 IN THE DEPARTMENT OF I&P.H HIMACHAL PRADESH.

-
1. Name of the post: Senior Assistant.
 2. Number of posts. 389 (Three hundred and Eighty Nine)
 3. Classification: Class-111 (Non-Gazetted)
Ministerial Services
 4. Scale of pay
3000-100-3200.
(be given in expended
notation): Rs.1800-50-2000-60-2060-70-2550-75-
 5. Whether Selection post
or Non-Selection post :: Non-Selection.
 6. Age for direct
Recruitment: Not applicable.
 7. Minimum educational
and other qualifications
required for direct
recruits: Not applicable.
 8. Whether age and
educational qualifications
prescribed for direct
recruits will apply in the
case of the promotees: Not applicable.
 9. Period of probation,
for a period not
if any:
the competent
reasons to be recorded
Two years subject to such further extension
exceeding one year as may be ordered by
authority in special circumstances and
in writing.
 10. Method of recruitment,
whether by direct
recruitment or by prom-
otion, deputation, transfer
and the percentage of
vacancies to be filled in by
various methods: 100 % by direct promotion.

<p>11. In case of recruitment clerical cadre by promotion, deputation, years transfer, grade from which combined with promotion / deputation /transfer 31.3.1991)service is to be made</p>	<p>By promotion from amongst the common of Clerks/ Senior Clerks / Jr. Asstt. with ten combined regular service or regular continuous adhoc (rendered upto in the grade.”</p>
--	---

(1) In all cases of promotion, the adhoc service rendered in the feeder post upto 31.3.1991. If any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these Rules for promotion subject to the condition:-

- (i) that in all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including the service rendered on adhoc basis upto 31.3.1991) in the feeder post in view of the provisions referred to above, all persons senior to him in the respective category / post / cadre shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration;

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment and promotion Rules for the post, whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion on account of the recruitments of the proceeding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

Explanation:- The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened to be Ex-serviceman recruited under the provisions of Rules-3 of Demobilized Armed Forces Personnel (Reservation of vacancies in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority there under or recruited under the provisions of Rule-3 of Ex-Serviceman (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority there under.

(2) Similarly, in all cases of confirmation, adhoc service rendered on the feeder post upto 31.3.1991, if any, prior to the regular appointment against such post shall be taken into account towards the length of service,

Provided that inter-se-seniority as a result of confirmation after taking into account, adhoc service rendered upto 31.3.1991 shall remain unchanged.

- | | |
|--|---|
| 12. If a Departmental promotion committee Exists, what is its Composition: | As may be constituted by the Govt.. from time to time. |
| 13. Circumstances under which the H.P.S.C. is to be consulted in making recruitment: | As required under the Law. |
| 14. Essential requirement for a direct recruitment: | Not applicable. |
| 15. Selection for appointment to post by direct recruitment: | Not applicable. |
| 16 Reservation: | The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Castes / Scheduled Tribes / Backward Classes / Other Categories of persons issued by the Himachal Pradesh Government from time to time. |
| 17.Powers to Relax: | Where the State is of the opinion that it is necessary of expedient to do so, it may, by order for reasons to be recorded in writing and in consultation with the H.P.S.C., relax any of the provisions of these Rules with respect to any class or category of persons or posts. |

Amendments

(Authoritative English text of this Department Notification No.IPH-(A) (3)-2/94 dated 11.4.2000 as required under clause (3) of Article 348 of the Constitution of India.

Government of Himachal Pradesh
Department of Irrigation and Public Health

No.IPH-(A) (3)-2/95- Dated: 11.4.2000.

NOTIFICATION

In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh, in consultation with the H.P. Public Service Commission, is pleased to make the following rules to amend the Himachal Pradesh irrigation and Public Health Department, Senior Assistant Class-111 (Non-Gazetted) Recruitment and Promotion Rules, 1996 notified vide Notification No. IPH(A) (3)2/94 dated 23.12.1995, namely:-

- | | | | |
|---|----|-----|--|
| Short title and Commencement: | 1. | (1) | These rules may be called the Himachal Pradesh, Irrigation and Public Health Deptt., <u>Senior Assistant Class-111</u> (Non-Gazetted) (First amendment) Rules, 2000. |
| | | (2) | These rules shall come into force from the date of Publication in Rajpatra, Himachal Pradesh. |
| Amendment of Annexure-“1” Recruitment and | 2. | (a) | In Annexure “1” to the Himachal Pradesh Irrigation and Public Health Department Senior Assistant Class-111 (Non-Gazetted) Promotion Rules, 1996. |
| | | (a) | For the existing provisions against column No.2 the following shall be substituted, namely:-
“414 (Four Hundred fourteen only.” |
| | | (b) | For the existing provisions against column No.4 the following shall be substituted, namely:-
“Rs.5800-200-7000-220-8100-275-9200.” |
| | | © | For the existing provisions against column No.11 the following shall be substituted, namely:- |

“By promotion from amongst Junior Assistants with 5 years regular service or regular combined with continuous adhoc (rended upto 31.3.1998) service in the grade.

(1) In all cases of promotion, the continues adhoc service rendered in the feeder post upto 31.3.1998, if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition that the adhoc appointment / promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provisions of R&P Rules, provided that:

(i) In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including the service rendered on adhoc basis upto 31.3.1998, following by regular service/ appointment) in the feeder post in view of the provisions referred in above, all persons senior to him in the respective category / post / cadre shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration.

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment and promotion Rules for the post, whichever is less.

Provided that where a person becomes ineligible to be considered for promotion on account of the recruitments of the proceeding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

EXPLANATION:- The last proviso shall not render the junior incumbents ineligible for consideration for promotion in senior in eligible persons happended to be Ex-serviceman recruited under the provisions of Rules-3 of Demobilized Armed Forces Personnel (Reservation of vacancies in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority there under or recruited under the benefit of Rule-3 of Ex-Serviceman (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority there under.

(2) Similarly, in all cases of confirmation continuous adhoc service rendered on the feeder post upto 31.3.98, if any, prior to the regular appointment against such post shall be taken into account towards the length of service, if the adhoc appointment / promotion had been made after proper selection and in accordance with the provisions on the Recruitment and promotion Rules.

Provided that inter-se-seniority as a result of confirmation after taking into account, adhoc service rendered upto 31.3.1998 as referred to adhoc shall remain unchanged.

By order,

FC-cum-Secretary (IPH) to the
Government of Himachal Pradesh.

Endst.No. IPH (A) (3)-2/ 94

Dated:Shimla-2, the 11.4.2000.

Copy forwarded to:-

1. All the Secretaries to the Govt. of H.P.
2. The Engineer-in-Chief, IPH Department Shimla-1.
3. The Controller, Printing & Stationery, H.P. Shimla-5, for publication in the Rajpatra.
4. All the Superintending Engineers in IPH Department, in H.P.
5. The Secy. H.P. Public Service Commission, Shimla-2.

6. The Secretary, (Personal) to the Govt. of Himachal Pradesh, Shimla-2.
- 7.. Assistant Legislative Draftsman (Hindi) Law Deptt. HP Secretariat Shimla-2.
- 8.. The Guard file.

Sd./-

Under Secretary (IPH) to the
Government of Himachal Pradesh.

(Authoritative English text of government Notification No.IPH (A) (3)-2/94 dated 3.6.03 as required under clause (3) of Article 348 of the Constitution of India.)

Government of Himachal Pradesh
Department of Irrigation and Public Health

No.IPH (A) (3)-2/94 Dated: Shimla-71002, the 3.6.2003.

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Himachal Pradesh in consultation with the H.P. Public Service Commission, is pleased to make the following rules to amend the Himachal Pradesh Irrigation and Public Health Department, Senior Assistant, Class-111 (Non-Gazetted) Recruitment and Promotion Rules,1995. Notified vide this Department notification of even number dated 23.12.1995 and amended vide this Department Notification of even number dated 11.4.2000 namely:-

- | | | | |
|-------------------------------|----|-----|---|
| Short title and Commencement: | 1. | (1) | These rules may be called the Himachal Pradesh, Irrigation and Public Health Deptt., Senior Assistant Class-111 (Non-Gazetted) Recruitment and Promotion (2nd amendment) Rules, 2003. |
| | | (2) | These rules shall come into force from the date of Publication in the Rajpatra, Himachal Pradesh. |
| Amendment of Annexure-“1” | 2. | | In Annexure-1 to the Himachal Pradesh Irrigation and Public Health Department Senior Assistant Class-111(Non-Gazetted)Recruitment and Promotion Rules ,1995. |
| | | (a) | For the existing provisions against column No.11 the following shall be substituted, namely:-

“By promotion from amongst the Common Clerical cadre of clerks / Junior assistants with 10 years regular service or regular combined with continuous adhoc service in the grade. |

Provided that those Clerks who have been promoted from amongst the Class-IV employees or appointed on compassionate grounds having the educational qualification Metric pass or Metric in English only and Hindi Rattan pass at the time of such promotion / appointment shall not be promoted to the post of Senior Assistant unless they possess

the essential qualification viz. Metric 2nd Division or 10+2 pass as prescribed for direct recruitment.

- (1) In all cases of promotion, the continues adhoc service rendered in the feeder post if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to condition that adhoc appointment / promotion in the feeder category had been made after following proper acceptable process of selection in accordance with provisions of R&P Rules, provided that in all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including the service rendered on adhoc basis followed by regular service / appointment) in the feeder post in view of the provisions referred to above, all persons senior to him in the respective category / post / cadre shall be deemed to be eligible for consideration and placed above, the junior person in the field of consideration.

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment and promotion Rules for the post, whichever is less.

Provided that all the incumbents to be becomes ineligible to be considered for promotion

on account of the recruitments of the proceeding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

EXPLANATION:- The last proviso shall not render the junior incumbents ineligible for consideration for promotion if senior ineligible persons happened to be Ex-serviceman recruited under the provisions of Rules-3 of the Demobilized Armed Forces Personnel (Reservation of vacancies in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority there under or recruited under the provisions of Rule-3 of Ex-Serviceman (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority there under.

- (2) Similarly, in all cases of confirmation, continuous service rendered in the feeder post if any, prior to the regular appointment against such

posts shall be taken into account towards the length of service, if the adhoc appointment / promotion had been made after proper selection and in accordance with provisions of Recruitment and promotion Rules.

Provided that inter-se-seniority as a result of confirmation after taking into account, adhoc service as referred to above shall remain unchanged.

By order,

Principal Secretary (IPH) to the
Government of Himachal Pradesh.

Endst.No. IPH (A) (3)-2/ 94

Dated: Shimla-171002, the 3.6.2003.

Copy is forwarded to:-

1. All the Administrative Secretaries H.P.Shimla-171002.
2. The Controller, Printing & Stationery, H.P. Shimla-171005, for publication in the Rajpatra.with the request that 5 copies of the same may be supplied to this Department.

3. The Engineer-in-Chief, IPH Department Shimla-1.
4. All the Chief Engineers in IPH Department, in H.P.
5. All the S.E's in I&PH Deptt. in H.P.
6. The Secy. H.P. Public Service Commission, Shimla-171002.
7. The Secretary, (Personal) to the Govt. of Himachal Pradesh, Shimla-2.
8. The Sr. Law Officer (English) HP Secretariat Shimla-171002.

Sd./-

Addl. Secretary (I&P.H.) to the
Government of Himachal Pradesh.