

(Authoritative English Text of Government Notification No. Per (AP)-C-A (3)-7/2010 dated 3-8-2011 as required, under clause (3) of Article 348 of the Constitution of India).

Government of Himachal Pradesh  
Department of Personnel (AP-III)

No. Per (AP)-C-A (3)-7/2010

Dated: Shimla-171002, <sup>3<sup>rd</sup></sup> August, 2011.

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 Common Recruitment and Promotion Rules for the post of Senior Assistant, Class-III, (Non-Gazetted, Ministerial Services) in various Departments of the Government of Himachal Pradesh as per Annexure-A attached to this notification, namely:-

Short title and Commencement. 1. (1) These rules may be called the Himachal Pradesh, Department of Personnel, Senior Assistant, Class-III, (Non Gazetted, Ministerial Services) Common Recruitment and Promotion Rules, 2011.

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

(3) These rules shall be applicable to all the Government Department of State of Himachal Pradesh :

Provided that these Rules shall not apply to the posts of the Vidhan Sabha Secretariat/ High Court of H.P.

Repeal and Savings 2. (1) The method of recruitment provided in Recruitment and Promotion Rules for the posts of Senior Assistant under various Departments of the Himachal Pradesh Government issued from time to time, shall cease to operate:

(2) Notwithstanding such repeal, any appointment made or anything done or any action taken under the rules so repealed under sub-rule (1) of this rule, shall be deemed to have been validly made or done or taken under these rules.

By order

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

Endst. No. Per (AP)-C-A (3) -7/2010 Dated : Shimla-171002, <sup>3<sup>rd</sup></sup> August, 2011.

Copy forwarded to:-

1. All the Additional Chief Secretaries/ Secretaries/ Secretaries/Additional Secretaries/Under Secretaries to the Govt. of H.P. Shimla-2. Principal Deputy
2. All the Divisional Commissioners in Himachal Pradesh.
3. All the Heads of Departments in Himachal Pradesh.
4. All the Deputy Commissioners in Himachal Pradesh.
5. Secretary, H.P. Public Service Commission, Shimla-2.
6. Secretary, H.P. Subordinate Services Selection Board, Hamirpur.
7. Joint Legal Remembrancer-cum-Joint Secretary (Law) to the Govt. of Himachal Pradesh.
8. 250 spare copies.

*M. K. Singh*  
Under Secretary (Personnel) to the  
Government of Himachal Pradesh.

Common Recruitment & Promotion Rules for the posts of Senior Assistant, Class-III (Non-Gazetted-Ministerial Services) in various Departments of Himachal Pradesh Government.

1. Name of Post : Senior Assistant
2. Number of Posts : As sanctioned and may be sanctioned by the Government from time to time in the concerned Departments.
3. Classification : Class-III (Non-Gazetted) (Ministerial Services).
4. Scale of Pay : Pay band: Rs. 10300-34800 + 3800 Grade Pay.
5. Whether "Selection" Post or "Non-Selection" Post : Non-Selection.
6. Age for Direct recruitment : N.A.
7. Minimum Educational and other qualifications required for direct recruitment : N.A.
8. Whether age and educational qualifications prescribed for direct recruits will apply in the case of the promotees : N.A.  
Educational Qualifications : As prescribed against Col. No. 11 below.
9. Period of Probation, if any : Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and for reasons to be recorded in writing.
10. Method of recruitment, whether by direct recruitment or by promotion, deputation, transfer and the percentage of posts to be filled in by various methods : 100% by promotion failing which on secondment basis.

11. In case of recruitment by promotion/ deputation, transfer, grades from which promotion/ deputation/ transfer is to be made
- By promotion from amongst the Common Clerical cadre of Clerks/Junior Assistants of concerned Departments possessing ten years regular service or regular combined with continuous adhoc service rendered, if any, in the grade, failing which on secondment basis from amongst the incumbents of this post working in the identical pay scales from other H.P. Government Departments :
- Provided that such incumbents/ Clerks who have been promoted from Class-IV or appointed on compassionate grounds will be eligible for promotion to the post of Senior Assistant, only if, they possess the educational qualification of 10+2 as prescribed for direct recruitment to the post of Clerk.

Provided that for the purpose of promotion every employee shall have to serve atleast one term in the Tribal/Difficult areas subject to adequate number of post(s) available in such areas:

Provided further that the proviso (I) supra shall not be applicable in the case of those employees who have five years or less service, left for superannuation.

Provided further that Officers/Officials who have not served atleast one tenure in Tribal/difficult area shall be transferred to such area strictly in accordance with his/her seniority in the respective cadre.

Explanation I:-For the purpose of proviso I supra the "term" in Tribal/Difficult areas shall mean normally three years or less period of posting in such areas keeping in view the administrative requirements and performance of the employee.

Explanation II:- For the purpose of proviso I supra the Tribal/Difficult Areas shall be as under:-

1. District Lahaul & Spiti.
2. Pangi and Bharmour Sub Division of Chamba District.
3. Dodra Kwar Area of Rohru Sub-Division.
4. Pandrah Bis Pargana, Munish Darkali and Gram panchayat Kashapat, Gram Panchayats of Rampur Tehsil of District Shimla.
5. Pandrah Bis Pargana of Kullu District.
6. Bara Bhangal Areas of Baijnath Sub Division of Kangra District.
7. District Kinnaur.
8. Kathwar and Korga Patwar Circles of Kamrau Sub Tehsil, Bhaladh Bhalona and Sangna Patwar Circles of Renukaji Tehsil and Kota Pab Patwar Circle of Shillai Tehsil, in Sirmour District.
9. Khanyol-Bagra Patwar Circle of Karsog Tehsil, Gada-Gussaini, Mathyani, Ghanyar, Thachi, Baggi, Somgad and Kholanal of Bali-Chowki Sub Tehsil, Jharwar, Kutgarh, Graman, Devgarh, Trailla, Ropa, Kathog, Silh-Badhwani, Hastpur, Ghamrehar and Bhatehar Patwar Circle of Padhar Tehsil, Chiuni, Kalipar, Mangarh, Thach-Bagra, North Magru and South Magru Patwar Circles of Thunag Tehsil and Batwara Patwar Circle of Sunder Nagar Tehsil in Mandi District.

(1) In all cases of promotion, the continuous 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 the conditions 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 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 further 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 & 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 requirements of the preceding 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-servicemen recruited under the provisions of Rule-3 of Demobilized Armed Forces Personnel (Reservation of Services in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule-3 of Ex-Servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Service) Rules, 1985 and having been given the benefit of seniority thereunder.

(2) Similarly, in all cases of confirmation, continuous adhoc service rendered on 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 the provision of the Recruitment & Promotion Rules:

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

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| 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.P.S.C. is to be consulted in making recruitment; | As required under the Law.                            |
| 14 | Essential requirement for a direct recruitment;                                    | N.A.  |

- 15 Selection for appointment to the post by direct recruitment; N.A.
- 16 Reservation; The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Castes/ Scheduled Tribes/Other Backward Classes/other categories of persons issued by the Himachal Pradesh Government from time to time.
- 17 Departmental Examination Not Applicable.
- 18 Power to Relax; Where the State Govt. is of the opinion that it is necessary or expedient to do so, it may, by order for reasons to be recorded in writing and in consultation with the H.P. Public Service Commission, relax any of the provision (s) of these Rules with respect to any class or category of person (s) or post (s).

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(Authoritative English text of Government Notification No. Per (AP)-C-A(3)-7/2010  
Dated: 18-04-2012, as required under clause (3) of Article 348 of the Constitution of  
India).

Government of Himachal Pradesh  
Department of Personnel (AP-III)

No. Per (AP)-C-A(3)-7/2010

Dated: Shimla-2, the 18<sup>th</sup> April, 2012.

NOTIFICATION

In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor of Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission, is please to make the following rules further to amend the Himachal Pradesh, Department of Personnel, Senior Assistant, Class-III (Non-Gazetted, Ministerial Services) Common Recruitment and Promotion Rules, 2011 notified vide this Department Notification No. Per (AP)-C-A(3)-7/2010 dated the 3<sup>rd</sup> August, 2011, namely:-

Short title and 1. (1)

Commencement

Amendment of 2.  
Annexure-A

These rules may be called the Himachal Pradesh, Department of Personnel, Senior Assistant, Class-III (Non-Gazetted, Ministerial Services) Common Recruitment and Promotion (Second Amendment) Rules, 2012.

(2) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh. In Annexure-A of the Himachal Pradesh, Department of Personnel, Senior Assistant, Class-III (Non-Gazetted, Ministerial Services) Common Recruitment and Promotion Rules, 2011

(1) For the existing provision against Col. No. 10, the following shall be substituted, namely:-  
"100% by promotion." ; and

(2) For the existing provision against Col. No. 11, the following shall be substituted, namely:-

"By promotion from amongst the Common Clerical cadre of Clerks/Junior Assistants of concerned Departments possessing ten years regular service or regular combined with continuous adhoc service rendered, if any, in the grade :

Provided that all such incumbents will be eligible for promotion to the post of Senior Assistant, only if, they possess the minimum educational qualification of 10+2 as prescribed for direct recruits or Clerks absorbed against direct recruitment post.

A (I) Provided that for the purpose of promotion every employee shall have to serve at-least one term in the Tribal/Difficult areas subject to adequate number of post(s) available in such areas:

Provided further that the proviso A (I) supra shall not be applicable in the case of those employees who

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have five years or less service, left for superannuation:

Provided further that Officers/Officials who have not served at-least one tenure in Tribal/difficult area shall be transferred to such area strictly in accordance with his/her seniority in the respective cadre.

**Explanation I:** For the purpose of proviso A (I) supra the "term" in Tribal/Difficult areas shall mean normally three years or less period of posting in such areas keeping in view the administrative requirements and performance of the employee.

**Explanation II:** For the purpose of proviso A(I) supra the Tribal/Difficult Areas shall be as under:-

1. District Lahaul & Spiti
2. Pangi and Bharmour Sub Division of Chamba District
3. Dodra Kwar Area of Rohru Sub Division.
4. Pandrah Bis Pargana, Munish Darkali and Gram Panchyat Kashapat, Gram Panchayats of Rampur Tehsil of District Shimla.
5. Pandrah Bis Pargana of Kullu District.
6. Bara Bhangal Areas of Baijnath Sub Division of Kangra District.
7. District Kinnaur
8. Kathwar and Korga Patwar Circles of Kamrau Sub Tehsil, Bhaladh Bhalona and Sangna Patwar Circles of Renukaji Tehsil and Kota Pab Patwar Circle of Shillai Tehsil, in Sirmour District.
9. Khanyol-Bagra Patwar Circle of Karsog Tehsil, Gada Gus thyani, Ghanyar, Thachi, Baggi, Somgad saini, Ma and Kholanal of Bali- Chowki Sub Tehsil, Jharwar, Kutgarh, Graman, Devgarh, Trailla, Ropa, Kathog, Silh-Badhwani, Hastpur, Ghamrehar and Bhatehar Patwar Circle of Padhar Tehsil, Chiuni, Kalipar, Mangarh, Thach-Bagra, North Magru and South Magru Patwar Circles of Thunag Tehsil and Batwara Patwar Circle of Sunder Nagar Tehsil in Mandi District:

Provided that the provisos regarding essential service in the tribal/difficult areas shall not be applicable to such services/ establishments/ Departments whose services are non-transferrable and do not have posts in such areas.

- (1) In all cases of promotion, the continuous 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 the conditions that the adhoc appointment/promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the

M. J. Singh

provisions of R & P Rules:

(i) 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 & 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 requirements of the preceding 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-servicemen recruited under the provisions of Rule-3 of Demobilized Armed Forces Personnel (Reservation of Services in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule-3 of Ex-Servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority thereunder.

(ii) Similarly, in all cases of confirmation, continuous adhoc service rendered on 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 the provision of the Recruitment & Promotion Rules:

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

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By order,

Manisha Nanda  
Principal Secretary (Personnel) to the  
Government of Himachal Pradesh



Endst. No. Per (AP)-C-A(3)-7/2010 Dated: Shimla-2, the 18<sup>th</sup> April, 2012.

1. All the Additional Chief Secretaries/ Principal Secretaries/ Secretaries/Additional Secretaries/Special Secretaries/ Joint Secretaries/ Deputy Secretaries/Under Secretaries to the Govt. of H.P. Shimla-2.
2. All the Divisional Commissioners in Himachal Pradesh.
3. All the Heads of Departments in Himachal Pradesh.
4. All the Deputy Commissioners in Himachal Pradesh.
5. The Secretary, H.P. Public Service Commission, Shimla-2 with reference to his letter No. 6-1/92-Part, Dated 12.03.2012.
6. The Secretary, H.P. Subordinate Services Selection Board, Hamirpur.
7. Joint Legal Rememberancer-cum-Joint Secretary (Law) to the Govt. of Himachal Pradesh.
8. 250 spare copies.

*M. S. S.*  
Under Secretary (Personnel) to the  
Government of Himachal Pradesh.