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**Authoritative English text of this Department Notification No. PLG-A(1)-2/2006(Investigator)
Dated 28.05.2010 as required under clause (3) of Article 348 of Constitution of India.**

Government of Himachal Pradesh
Department of Planning
(Economics & Statistics)

No. PLG-A(1)-2/2006(Investigator)

Dated ^{3-C-10}
~~28.05.2010.~~

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 Investigator, Class-III (Non-Gazetted), in the Department of Economics and Statistics, 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, Economics and Statistics Department, Investigator Class-III, (Non-Gazetted) Recruitment and Promotion Rules, 2010.
- (2) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

Repeal and Savings

2. (1) The Himachal Pradesh, Economics and Statistics Department, Investigator, Class-III (Non-Gazetted) Recruitment and Promotion Rules, 1997 notified vide Notification No. PLG-A(3)17/95, dated the 19.11.1997 are hereby repealed.
- (2) Notwithstanding such repeal, any appointment made of anything done or any action taken under the relevant rules so repealed under sub rule 2(1) supra, shall be deemed to have been validly made, done or taken under these Rules.

By order,

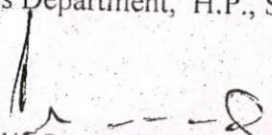
Principal Secretary(Plg., Eco.&Stat.) to the
Government of Himachal Pradesh.

2
Endst. No. PLG-A(1)-2/2006(Investigator)
Copy to:-

Dated :

2-6-10
28.05.2010.

1. All the Administrative Secretaries to the Govt. of H.P. Shimla-171 002
2. The Accountant General (Audit), H.P. Shimla-171 003.
3. The Secretary, H.P. Public Service Commission, Shimla-171 002.
4. The Controller, H.P. Printing Stationery Deptt. Shimla-171 005 for publication in the Extra Ordinary Rajpatra.
5. The Senior Law Officer, Law Deptt.(Hindi) H.P. Secretariat, Shimla-171 002.
6. The Economic Adviser, Economics and Statistics Department, H.P., Shimla- 171 009.
7. 150 spare copies


Under Secretary (Planning/E&S) to the
Government of Himachal Pradesh.

ANNEXURE-"A"**RECRUITMENT AND PROMOTION RULES FOR THE POST OF INVESTIGATOR (CLASS-III, NON-GAZETTED), IN THE DEPARTMENT OF ECONOMICS AND STATISTICS, HIMACHAL PRADESH.**

1. Name of the Post : Investigator
2. Number of Posts : 24 (Twenty Four)
3. Classification : Class – III (Non Gazetted).
4. Scale of Pay : i) Pay band for regular incumbents:
PB-2 Rs. 5910-20200 + 1900 Grade Pay.
ii) Emoluments for Contract employees:
As per detail given in Col. 15-A.
5. Whether Selection Post or Non-Selection Post : Non-Selection
6. Age for direct recruitment : Between 18 and 45 years

Provided that the upper age limit for direct recruits will not be applicable to the candidates already in service of the Government including those who have been appointed on adhoc or on contract basis;

Provided further that if a candidate appointed on adhoc basis had become overage on the date when he was appointed as such he shall not be eligible for any relaxation in the prescribed age limit by virtue of his such adhoc or contract appointment;

Provided further that upper age limit is relaxable for Scheduled Castes/Scheduled Tribes/Other Backward categories of persons to the extent permissible under the general or special order(s) of the Himachal Pradesh Government;

Provided further that the employees of all the Public Sector Corporations and Autonomous Bodies who happened to be Governments Servants before absorption in Public Sector Corporations/ Autonomous Bodies at the time of initial constitutions of such Corporations/ Autonomous Bodies shall be allowed, age concession in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to such staff of the Public Sector Corporations/Autonomous Bodies who were/are subsequently appointed by such Corporations/ Autonomous Bodies and who are/were finally absorbed in the service of such Corporations/ Autonomous Bodies after initial constitutions of the Public Sector Corporations/Autonomous Bodies.

Note: (1) Age limit for direct recruitment will be reckoned on the first day of the year in which the Post(s) is/are advertised for inviting applications or notified to the Employment Exchanges or as the case may be.

- (2) Age and experience in the case of direct recruitment are relaxable at the discretion of the H.P. Public Service Commission in case the candidate is otherwise well qualified.

7. Minimum Educational & other qualifications required for direct recruits:

1) ESSENTIAL :

Should have passed 10+2 examination or its equivalent from a recognized Board of School Education/University.

2) DESIRABLE QUALIFICATION:

Knowledge of customs, manner and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.

8. Whether age and educational qualifications prescribed for direct recruits will apply in the case of the promotees:

Age: Not applicable.

Educational Qualification: As prescribed in Col.No.11

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 reasons to be recorded in writing.

10. Method of recruitment, whether by direct recruitment or by promotion, secondment, transfer and the percentage of Posts to be filled in by various methods:

i) 10 % by promotion.

ii) 90 % By direct recruitment on a regular basis or by recruitment on contract basis as the case may be. The contract employees will get emoluments as given in Col.15-A and will be governed by service conditions as specified in the said column.

11. In case of recruitment by promotion deputation, transfer, grades from which promotion/transfer is to be made:

By promotion from amongst the Class-IV officials who have passed 10+2 examination or its equivalent from a recognized Board of School Education/University and possess 05 years regular service or regular combined with continuous adhoc service rendered, if any, in the grade;

Provided that if a Class-IV official is otherwise eligible to be promoted to the post of Investigator with the qualification Matric or Hindi Rattan with Matric (English) then he/she will be so promoted but shall have to acquire the qualification of 10+2 standard within 03 years. If the candidate fails to acquire the 10+2 qualification by 31.12.2011, then he/she shall be reverted from Investigator to Class-IV post.

Provided further that all the Class-IV officials so promoted shall not be considered to be eligible for their next promotion until they possess the minimum educational qualifications prescribed for direct recruitment as mentioned in Column No.7 of the above Rules.

A (1) 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 (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 at-least one tenure in Tribal/difficult Area shall be transferred to such are 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:-

- 01 District Lahaul & spiti.
- 02 Pangi and Bharmour Sub Division of Chamba District.
- 03 Dodra Kawar Area of Rohru Sub-Division.
- 04 Pandrah Bis Pargana, Munish Darkali and Gram Panchayat Kashapat, Gram Panchayats of Rampur Tehsil of District shimla.
- 05 Pandrah Bis Pargana of Kullu District.
- 06 Bara Bhangal Areas of Baijnath Sub Division of Kangra District.
- 07 District Kinnaur.
- 08 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 Siormour District.
- 09 Khanyol-Bagra Patwar Circle of Karsog Tehsil, GadaGussaini, Mathyani, Ghanyar, Thachi, Baggi, Somgad and Kholanal of Bali-Chowki Sub tehsil, Jharwar, Kutgarh, Graman, Devgarh, Trailla, Ropa, Kothog, Silh-Badhwani, Hastpur, Ghamrehar and Bhatehar Patwar Circle of Padhar Tehsil, Chiuni, Kalipar, Mangarh, Thach-Bagra, North Magru and South Magru Patwar Circles of Thuniag Tehsil and Batwara Patwar Circle of Sunder Nagar Tehsil in Mandi District.

In all cases of promotion, the continuous ad-hoc 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 ad-hoc 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 ad-hoc 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 03 years or that prescribed in the R&P 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 person happened to be ex-servicemen recruited under the provisions happened to be Ex-servicemen and under the provision of Rule-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 Rules 3 of the Ex-servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Service) 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, 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 R&P Rules;

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

12. If the Departmental Promotion Committee exists, what is its composition?

As may be constituted by the Government from time to time.

13. Circumstances under which the H.P. Public Service Commission is to be consulted in making recruitment:

As required under the Law.

14. Essential requirement for a Direct recruitment:

A candidate for appointment to any service or post must be a Citizen of India.

15. Selection for appointment to post by direct recruitment.

Selection for appointment to the post in the case of direct recruitment shall be made on the basis of viva-voce test, if Himachal Pradesh Public Service Commission or other recruiting authority as the case may be, so considered necessary or expedient by a written test or practical test, the standard/syllabus, etc. of which, will be determined by the Commission/other recruiting authority as the case may be.

15(A) (Selection for appointment to the post by contract appointment)

Notwithstanding anything contained in these rules, contract appointments to the post will be made subject to the terms and conditions given below:

D) CONCEPT:-

- (a) Under this policy, the **Investigator** in the Department of Economics and Statistics, Himachal Pradesh will be engaged on contract basis initially for one year, which may be extendable on year- to- year basis.

Provided that for extension/renewal of contract period on year to year basis the concerned HOD shall issue a certificate that the service and conduct of the contract appointee is satisfactory during the year and only then his period of contract is to be renewed/extended.

(b) **POST FALLS OUT OF THE PURVIEW OF HP PSC/HP SSSB:**

The Economic Adviser, Economics and Statistics Department, Himachal Pradesh after obtaining the approval of the Government to fill up the vacant posts on contract basis will place the requisition with the concerned recruiting agency i.e. H.P. Subordinate Services Selection Board, Hamirpur.

(c) The selection will be made in accordance with the eligibility conditions prescribed in these Rules.

(II) CONTRACTUAL EMOLUMENTS:

The Investigator appointed on contract basis will be paid consolidated fixed contractual amount @ 7810/- P.M. (which shall be equal to initial of the pay band + Grade Pay). An amount of 3% (equal to annual increase in the minimum/ initial start of the pay band and grade of the post) as per annual increase in contractual emoluments for the subsequent years will be allowed if contract is extended beyond one year.

(III) APPOINTING/ DISCIPLINARY AUTHORITY:

The Economic Adviser, Economics and Statistics Department, Himachal Pradesh will be the appointing and disciplinary authority.

(IV) SELECTION PROCESS:-

Selection for appointment to the post in the case of Contract Appointment will be made on the basis of viva-voce test or if consider necessary or expedient by a written test or practical test the standard/ syllabus etc. of which will be determined by the concerned recruiting agency i.e. Himachal Pradesh Subordinate Services Selection Board, Hamirpur.

V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS:

As may be constituted by the concerned recruiting agency i.e. the H.P. Subordinate Services Selection Board, Hamirpur.

VI) AGREEMENT:

After selection of a candidate, he/ she shall sign an agreement as per Annexure-B appended to these Rules.

VII) TERMS & CONDITIONS:

a) The contractual appointee will be paid fixed contractual amount @Rs.7810/-per month (which shall be equal to initial of the pay band+Grade pay). The Contract Appointee

will be entitled for increase in contractual amount 3% per annum (equal to annual increase in the minimum / initial start of the pay band and grade of the post) for further extended years and no other allied benefits such as senior/ selection scales etc. will be given.

- b) The service of the Contract Appointee will be purely on temporary basis. The appointment is liable to be terminated in case the performance/ conduct of the contract appointee is not found satisfactory.
- c) Contract appointee will be entitled for one day casual leave after putting one month service. This leave can be accumulated up to one year. No leave of any other kind is admissible to the contract appointee. He/ she shall not be entitled for Medical reimbursement and L.T.C. etc. Only Maternity leave will be given as per rules.
- d) Unauthorized absence from duty without the approval of the Controlling Officer shall automatically lead to the termination of the contract. Contract Appointee shall not be entitled for contractual amount for the period of absence from duty.
- e) An official appointed on contract basis who have completed five years tenure at one place of posting will be eligible for transfer on need based basis wherever required on administrative grounds.
- f) Selected candidate will have to submit a certificate of his/her fitness from a Government/ Registered Medical Practitioner. Women candidate pregnant beyond twelve weeks will stand temporarily unfit till the confinement is over. The women candidate will be re-examined for the fitness from an authorized Medical Officer/ Practitioner.
- g) Contract appointee will be entitled to TA/DA if required to go on tour in connection with his/her official duties at the same rate as applicable to regular officials at the minimum of pay scale.
- h) Provisions of service rules like FR, SR, Leave Rules, GPF Rules, Pension Rules and Conduct Rules, etc. as are applicable to regular employees will not be applicable in case of contract appointees. They will be entitled for emoluments etc. as detailed in this column.

16. Reservation :

The appointment to the service shall be subject to orders regarding reservation in the service for Schedule 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. Powers to Relax :

Where the State Government 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 to relax any of the provisions of these Rules with respect to any class or category of persons or posts.

ANNEXURE-B

Form of contract /agreement to be executed between the Investigator and the Government of Himachal Pradesh through Economic Adviser, Economics and Statistics Department, Himachal Pradesh.

This agreement is made on this _____ day of _____ in the year _____ between Sh./Smt. _____

S/oD/oShri. _____ R/o _____ contract appointee (hereinafter called the FIRST PARTY), AND The Governor of Himachal Pradesh through _____ (Designation of the Appointing Authority) Himachal Pradesh (here-in-after the SECOND PARTY).

Whereas, the SECOND PARTY has engaged the aforesaid FIRST PARTY and the FIRST PARTY has agreed to serve as a _____ (Name of the post) on contract basis on the following terms & conditions:-

1. That the FIRST PARTY shall remain in the service of the SECOND PARTY as a _____ (Name of the post) for a period of 1 year commencing on day of _____ and ending on the day of _____. It is specifically mentioned and agreed upon by both the parties that the contract of the FIRST PARTY with SECOND PARTY shall ipso-facto stand terminated on the last working day i.e. on ----- and information notice shall not be necessary.

Provided that for further extension/renewal of contract period the HOD shall issue a certificate that the service and conduct of the contract appointee was satisfactory during the year and only then his period of contract is to be renewed/extended.

2. The contractual amount of the FIRST PARTY will be Rs. _____ per month.

3. The services of FIRST PARTY will be purely on temporary basis. The appointment is liable to be terminated in case the performance/contract of the contract appointee is not found good or if a regular incumbent is appointed/ posted against the vacancy for which the first party was engaged on contract.

4. Contractual _____ (Name of the post) will be entitled for one day casual leave after putting in one month service. This leave can be accumulated up to one year. No leave of any kind is admissible to the contractual _____ (Name of the post). He/she will not be entitled for Medical Reimbursement and LTC etc. Only maternity leave will be given as per Maternity Benefit Act, 1961.

5. Unauthorized absence from the duty without the approval of the Controlling Officer shall automatically lead to the termination of the contract. A contractual _____ (Name of the post) will not be entitled for salary for the period of absence from duty.

6. An official appointed on contract basis who have completed five years tenure at one place of posting will be eligible for transfer on need based basis wherever required on administrative grounds.

7. Selected candidate will have to submit a certificate of his/her fitness from a Government/ Registered Medical Practitioner. In case of women candidates pregnant beyond twelve weeks will render her temporarily unfit till the confinement is over. The women candidate should be re-examined for fitness from an authorized Medical Officer/ Practitioner.

8. Contract appointee shall be entitled to TA/DA if required to go on tour in connection with his official duties at the same rate as applicable to regular counter-part officer/ official.

9. The Employees Group Insurance Scheme as well as E.P.F./G.P.F. will not be applicable to contractual appointee(s).

IN WITNESS THE FIRST PARTY AND SECOND PARTY have herein to set their hands the day, month and year first, above written.

IN THE PRESENCE OF WITNESS:

1. _____

(Name and Full Address)

(Signature of the FIRST PARTY)

2. _____

(Name and Full Address)

IN THE PRESENCE OF WITNESS:

1. _____

(Name and Full Address)

(Signature of the SECOND PARTY)

2. _____

(Name and Full Address)