

(Authoritative English text of this Department Notification No. TBD(A)3-2/2006, Dated 03rd July, 2012 as required under clause (3) of Article 348 of Constitution of India.)

Government of Himachal Pradesh
Tribal Development Department
No. TBD(A)3-2/2006, Dated 3rd July, 2012

'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 Computer-cum-Typist, Class-III (Non-Gazetted), in the Himachal Pradesh Tribal Development Department as per Annexure "A" attached to this notification, namely:-

- Short title and Commencement
1. (1) These rules may be called the Himachal Pradesh Tribal Development Department, Computer-cum-Typist, Class-III (Non-Gazetted), Recruitment and Promotion Rules, 2012.
- (2) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.
- Repeal and Savings
2. (1) The Recruitment and Promotion Rules, for the post of Computer-cum-Typists (Class-III Non-Gazetted) in the Scheduled Castes Development Department notified vide Notification No. TD(A)3-7/82 dated 26th July, 1984 and as amended from time to time are hereby repealed.
- (2) Notwithstanding such repeal, any appointment made or anything done or any action taken under the rules so repealed under sub rule 2(1) supra, shall be deemed to have been validly made, done or taken under these Rules.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,

(Prem Kumar)
Additional Chief Secretary(TD) to the
Government of Himachal Pradesh.

Endst. No. TBD(A) 3-2/2006 Dated : 3rd July, 2012

Copy forwarded for information to :-

1. All the Administrative Secretaries to the Govt. of H.P Shimla-171002
2. The Pricipal Accountant General (Audit), H.P. Shimla-171003.
3. Secretary H.P. Public Service Commission Shimla-2.
4. The Controller, H.P. Printing & Stationery Deptt. Shimla-171005 for publication in the Extra Ordinary Rajpatra.
5. The Senior Law Officer, Law Deptt. (Hindi) H.P. Secretariat, Shimla-171002.
6. The Commissioner (TD), HP Shimla-2.
7. The Additional Commissioner (TD), HP Shimla-2.
8. 150 spare copies

Sd/
(Anupam Kashyap)
Joint Secretary (TD) to the
Government of Himachal Pradesh.

Annexure-A

**Recruitment and Promotion Rules for the post of Computer-cum-Typist Class-III
(Non-Gazetted) in Tribal Development Department.**

1. Name of Post : Computer-cum-Typist
2. Number of Posts : 5(Five)
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:
Rs. 7810/- P.M. fixed. As per detail given in
Col. No. 15-A.
5. Whether "Selection" : Non-Selection.
Post or "Non-
Selection" Post;
6. Age for Direct : Between 18 and 45 years.
Recruitment;

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 ad-hoc or on contract basis;

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

Provided further that upper age limit is relaxable for Scheduled Castes/Scheduled Tribes/Other 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 Government Servant 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 Corporation/Autonomous Bodies and who are/were finally absorbed in the service of such Corporations/Autonomous Bodies after initial constitution of the Public Sector Corporations/Autonomous Bodies.

- (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 Himachal Pradesh Public Service Commission in case the candidate is otherwise well qualified.
7. Minimum Educational and other qualifications required for direct recruitment;
- a) ESSENTIAL QUALIFICATION :
- i) Should have passed 10+2 examination or its equivalent from a recognized Board of School Education/ University.
- ii) Computer Diploma of at least six months duration from a recognized institute.
- iii) Should possess a minimum speed of 30 words per minute in English typewriting and 25 words per minute in Hindi typewriting.
- b) DESIRABLE QUALIFICATION (S):
- 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 promotee;
- Age : Not applicable.
- Education Qualification : Not applicable.
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, deputation, transfer and the percentage of posts to be filled in by various methods;
- 100 % by direct recruitment on a regular basis or by recruitment on contract basis, as the case may be, failing which by transfer/secondment basis. 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/secondment/transfer is to be made;
- By transfer/secondment basis from amongst the officials possessing essential qualification against Column No. 7 and holding equivalent posts/works in the identical pay scales in other departments of Himachal Pradesh Government.
- 12 If a Departmental Promotion Committee exists, what is its composition?
- Not applicable.
- 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;
- A candidate for appointment to any service or post must be a Citizen of India.

15 Selection for appointment to the 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 consider 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:

(I) CONCEPT:

- (a) Under this policy the Computer-cum-Typist in Tribal Development 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 WITHIN THE PURVIEW OF HPSSSB:-**

The Commissioner (TD) H.P 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 EMOLUMENT

The Computer-cum-Typist appointed on contract basis will be paid consolidated fixed contractual amount @ 7810/- P.M fixed (which shall be equal to minimum of the pay band +Grade Pay). An amount of Rs. 240/- (3% of the minimum of pay band+grade pay of the post) as annual increase in contractual emoluments for the subsequent year(s) will be allowed if contract is extended beyond one year.

(III) APPOINTING/ DISCIPLINARY AUTHORITY

The Commissioner (TD) will be appointing & 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 considered 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. H.P Subordinate Services Selection Board, Hamirpur.

(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS.

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

(VI) AGREEMENT

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

(VII) TERMS AND CONDITIONS:

- (a) The Contractual appointee will be paid fixed contractual amount @ Rs. 7810/- fixed P.M (which shall be equal to minimum of the pay band+ grade pay). The contract appointee will be entitled for increase in contractual amount @ Rs 240/-(3% of minimum of the pay band + grade pay 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 Re-imburement and LTC etc. only maternity leave will be given as per rules.
- (d) Unauthorized absence from the 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 12 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 counter part official at the minimum of pay scale.

(h) Provisions of service rules like FR, SR, Leave Rules, GPF Rules, Pension Rules & Conduct Rules etc. as are applicable in case of 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 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 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, relax any of the provision (s) of these Rules with respect to any class or category of persons or post (s).

Form of contract/agreement to be executed between the.....and the Government of Himachal Pradesh through Commissioner (Tribal Development).

This agreement is made on this.....day of in the year..... Between Sh./SmtS/O/D/O Sh..... R/O of..... Contract appointee (hereinafter called the FIRST PARTY), AND the Governor, Himachal Pradesh through, Commissioner (Tribal Development), H.P. (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.....on contract basis on the following terms and conditions:-

1. That the FIRST PARTY shall remain in the service of the SECOND PARTY as a -----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 the period of contract is to be renewed/extended.
2. The contractual amount of the FIRST PARTY will be Rs. 7810/- fixed per month.
3. The service of FIRST PARTY 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 good or if a regular incumbent is appointed /posted against the vacancy for which the first party was engage on contract.
4. Contractual -----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 ----- He/she will not be entitled for medical reimbursement and LTC etc. Only maternity leave will be given as per rules.
5. Un-authorized absence from duty without the approval of the controlling officer shall automatically lead to the termination of the contract. A contractual.....will not be entitled for Contractual Amount 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 Officer/Practitioner. In case of Women candidates, pregnant beyond 12 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/her official duties at the same rate as applicable to regular counterpart officers at the minimum of pay scale.
9. The Employees Group Insurance Scheme as well as EPF/GPF will not be applicable to the contractual appointee(s).

....2/-

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

IN THE PRESENCE OF WITNESS:

1.

.....

.....

(Name and full Address)

2.

.....

.....

(Name and full Address)

(Signature of the FIRST PARTY)

IN THE PRESENCE OF WITNESS

1.

.....

.....

(Name and full Address)

2.

.....

.....

(Name and full Address)

(Signature of the SECOND PARTY)