

(Authoritative English text of this Department Notification No. EDN (TE) A (3)2/2010 dated: 16-05-2015 as required under Article 348 (3) of the constitution of India)

**Government of Himachal Pradesh
Technical Education Department**

No. EDN(TE)A(3)2/2010

Dated, Shimla-171002, 16-05-2015.

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 H.P. Public Service Commission, is pleased to make the Recruitment and Promotion Rules for the post of **Workshop Instructor (Polytechnic) Class-III (Non-Gazetted)** in the Department of Technical Education, Vocational & Industrial Training, H.P. as per Annexure-"A" attached to this notification, namely :-

**Short title and
Commencement:**

1. (1) These Rules may be called the Himachal Pradesh Technical Education, Vocational & Industrial Training Department, **Workshop Instructor (Polytechnic) Class-III (Non-Gazetted)** Recruitment and Promotion Rules, 2014.

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

Repeal & Savings:

2. (1) The Recruitment and Promotion Rules for the post of Workshop Instructors as notified vide Notification No.15-49/72-Edu-B(TE) dated 11.10.1973 is hereby repealed.
- (2) Notwithstanding such repeal any appointment made or any thing done or any action taken under the relevant rules so repealed under Rule 2 (1) supra shall be deemed to have been validly done or taken under these rules.

BY ORDER

**Pr. Secretary (Technical Education) to the
Government of Himachal Pradesh.**

Dated, Shimla-171002, 16-05-2015

Endst. No. As above.

Copy forwarded to :-

1 All Administrative Secretaries, to the Govt. of Himachal Pradesh, Shimla-02.

2. The Director, Technical Education, Vocational & Industrial Training, H.P. Sundernagar, Distt. Mandi-174401.
3. The Controller Printing & Stationary, H.P. Shimla-171005 for publication in Rajpatra (Extra-Ordinary).
4. The DLR-cum-Deputy Secretary (Law) to the Govt. of Himachal Pradesh, Shimla-02.


(L. N. Kashyap)

**Under Secretary (Technical Education)
to the Government of Himachal Pradesh.**

ANNEXURE-"A"

**RECRUITMENT AND PROMOTION RULES FOR THE POST OF
WORKSHOP INSTRUCTOR (POLYTECHNIC) CLASS-III (NON-GAZETTED),
IN THE DEPARTMENT OF TECHNICAL EDUCATION, VOCATIONAL &
INDUSTRIAL TRAINING, HIMACHAL PRADESH.**

1.	Name of the Post	Workshop Instructor (Polytechnic)
2.	Number of post(s)	83 (Eighty Three)
3.	Classification	Class-III (Non-Gazetted)
4.	Scale of Pay	(i) <u>Pay scale for regular incumbents:-</u> Pay Band ₹ 10300-34800+ ₹ 3600/- Grade Pay. (ii) <u>Emoluments for contract employees :-</u> ₹ 13,900/- as per details given in column 15-A.
5.	Whether "Selection" post or "Non-Selection" post	Not applicable.
6.	Age for direct recruitment.	Between 18 to 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 or on contract basis had become over-age on the date 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 adhoc 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 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/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 constitution of the Public Sector Corporations/Autonomous Bodies.

	<p>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,</p> <p>2 Age and experience in the case of direct recruitment, relaxable at the discretion of the Himachal Pradesh Public Service Commission in case the candidate is otherwise well qualified.</p>	
7.	<p>Minimum educational and other qualifications required for direct recruit(s)</p>	<p>(a) ESSENTIAL QUALIFICATION(S): I.T.I. Certificate in the concerned trade from a recognized Board/ Institution with 02 years post certificate industrial experience.</p> <p>OR</p> <p>Three years diploma in respective branch or its equivalent for Workshop Instructor from a recognized Polytechnic Institute/Institution.</p> <p>(b) DESIRABLE QUALIFICATION(S): Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.</p>
8.	<p>Whether age and educational qualification(s) prescribed for direct recruit(s) will apply in the case of the promotee(s).</p>	<p>Age: Not applicable.</p> <p>Educational Qualification: Not applicable.</p>
9.	<p>Period of Probation, if any.</p>	<p>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.</p>
10.	<p>Method(s) of recruitment whether by direct recruitment or by promotion, secondment, transfer and the percentage of post(s) to be filled in by various methods:</p>	<p>100% by direct recruitment on a regular basis or by recruitment on contract basis, as the case may be.</p>

11.	In case of recruitment by promotion, secondment, transfer, grade from which promotion/ secondment/ transfer is to be made:	Not applicable.
12.	If a Departmental Promotion Committee exists, what is its composition?	Not applicable.
13.	Circumstances under which the H.P. Public Service Commission to be consulted in making recruitment.	As required under the Law.
14.	Essential requirements 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 the 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.	<p>Notwithstanding anything contained in these Rules, contract appointments to the post will be made subject to the terms and conditions given below :-</p> <p>(i) <u>CONCEPT:</u></p> <p>(a) Under this policy the Workshop Instructor in the Department of Technical Education, Vocational & Industrial Training, H.P. will be engaged on contract basis initially for one year; which may be extendable on year-to-year basis.</p> <p>Provided that for extension/renewal of contract period on year to year basis the concerned HOD shall issue a certificate</p>

that the service and contract of the contract appointee is satisfactory during the year and only then his/her period of contract is to be renewed/extended.

(b) **POST FALLS WITHIN THE PURVIEW OF H.P.S.S.S.B**

The Director, Technical Education, Vocational & Industrial Training Department, 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. Himachal Pradesh Subordinate Services Selection Board, Hamirpur.

- (c) The selection will be made in accordance with the eligibility conditions as prescribed in these R&P Rules.

(II) **CONTRACTUAL EMOLUMENTS:-**

The Workshop Instructor appointed on contract basis will be paid consolidated fixed contractual amount @ ₹ 13,900/- per month (which shall be equal to minimum of the pay band + Grade Pay). An amount of ₹417/- (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 Director, Technical Education, Vocational & Industrial Training Department, H.P. will be 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

Signature

can be accumulated upto the Calendar Year and will not be carried forward for the next Calendar Year.

- (d) Unauthorized absence from the duty without the approval of the controlling officer shall automatically lead to the termination of the contract. However, in exceptional cases where the circumstances for un-authorized absence from duty were beyond his/her control on medical grounds, such period shall not be excluded while considering his/her case for regularization but the incumbent shall have to intimate the controlling authority in this regard well in time. However, the contract appointee shall not be entitled for contractual amount for this period of absence from duty.

Provided that he/she shall submit the certificate of illness/fitness issued by the Medical Officer, as per prevailing instructions of the Government.

- (e) An official appointed on contract basis who has completed three 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 counter part officials at the minimum of the pay



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. 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 Himachal Pradesh 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 contract appointee will be paid fixed contractual amount @ ₹13,900/- per month (which shall be equal to minimum of pay band + Grade Pay). The contract appointee will be entitled for increase in contractual amount @ ₹417/- (3% of the 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's casual leave after putting one month service. However, the contract employees will also be entitled for 16 weeks Maternity Leave, 10 day's Medical Leave and 05 days special leave. He/She shall not be entitled for Medical Re-imbursment and LTC etc. No leave of any kind except above is admissible to the contract appointee.

Provided that the un-availed Casual Leave, Medical Leave and Special Leave

		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 Himachal Pradesh 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).

ANNEXURE-"B"

Form of contract/ agreement to be executed between the **Workshop Instructor (Polytechnic) Class-III (Non Gazetted)** & the Government of Himachal Pradesh through Director, Technical Education.

This agreement is made on this..... day of..... in the year.....
Between Sh/ Smt..... S/o/ D/o Shri..... R/o....., contract
appointee (hereinafter called the FIRST PARTY), AND The Governor, Himachal Pradesh through
Directorate Technical Education, Himachal Pradesh (here-in-after called the SECOND PARTY).

Whereas, the SECOND PARTY has engaged the aforesaid FIRST PARTY and the FIRST
PARTY has agreed to serve as Workshop Instructor (Polytechnic) on contract basis on the following
terms and conditions:-

1. That the FIRST PARTY shall remain in the service of the SECOND PARTY as Workshop Instructor (Polytechnic) for a period of one 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. onand 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 FIRST PARTY will be paid a consolidated contractual amount i.e. ₹ 13,900/- 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 FIRST PARTY is not found good.
4. Contractual Workshop Instructor (Polytechnic) Class-III (Non Gazetted) will be entitled for one day's casual leave after putting one month service. However, the contract appointee will also be entitled for 16 weeks maternity leave, 10 days medical leave and 05 days special leave. He/She shall not entitled for medical re-imbursement and LTC etc. No leave of any kind except above is admissible to the contract appointee.

Provided that the un-availed casual leave, medical leave and special leave can be accumulated upto the calendar year and will not be carried forward for the next calendar year.

5. Unauthorized absence from the duty without the approval of the Controlling Officer shall automatically lead to the termination of the contract. However, in exceptional cases where the circumstances for un-authorized absence from duty were beyond his/her control on medical grounds, such period shall not be excluded while considering his/her case for regularization but the incumbent shall have to intimate the controlling authority in this regard well in time. However, the contract appointee shall not be entitled for contractual amount for the period of absence from duty.

Provided that he/she shall submit the certificate of illness/fitness issued by the Medical Officer, as per prevailing instructions of the Government.

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

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. Selected candidate will have to submit a certificate of his/her fitness from a Government/Registered Medical 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 official at the minimum of payscale.
9. The Employees Group Insurance Scheme, PPF and GPF will not be applicable to the 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)

(Signature of the SECOND PARTY)

A handwritten signature, possibly 'A.P.R.', is written on a horizontal line.