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2008

राजपत्र, हिमाचल प्रदेश, 26 फरवरी, 2009/7 फाल्गुन, 1930

8. चयनित अभ्यर्थी को सरकारी/रजिस्ट्रीकृत चिकित्सा व्यवसायी से अपना आरोग्य प्रमाण-पत्र प्रस्तुत करना होगा। महिला अभ्यर्थियों की दशा में बारह सप्ताह से अधिक की गर्भावस्था प्रभाव होने तक उसे अस्थाई तौर पर अनुपयुक्त बना देगी। महिला अभ्यर्थियों का किसी प्राधिकृत चिकित्सा अधिकारी व व्यवसायी द्वारा उपयुक्तता के लिए पुनः परीक्षण किया जाना चाहिए।

9. संविदा पर नियुक्त व्यक्ति का यदि अपने पदीय कर्तव्यों के सम्बन्ध में दोरों पर जाना अपेक्षित हो तो वह उसी दर पर जैसी वेतनमान के न्यूनतम पर नियमित प्रतिस्थानी कर्मचारी को लागू है यात्रा भत्ते व दैनिक भत्ते का हकदार होगा/होगी।

10. संविदा पर नियुक्त व्यक्ति(यों) को सामूहिक जीवन बीमा योजना के साथ साथ इ0पी0 एफ0/जी0 एफ0 भी लागू नहीं होगा।

इसके साक्ष्यस्वरूप प्रथम पक्षकार और द्वितीय पक्षकार ने साक्षियों की उपस्थिति में इसमें सर्वप्रथम उल्लिखित तारीख को अपने अपने हस्ताक्षर कर दिए हैं।

साक्षी की उपस्थिति में

1.....

(नाम व पूरा पता)

2.....

(नाम व पूरा पता)

(प्रथम पक्षकार के हस्ताक्षर)

साक्षी की उपस्थिति में

1.....

(नाम व पूरा पता)

2.....

(नाम व पूरा पता)

(द्वितीय पक्षकार के हस्ताक्षर)

[Authoritative English text of this Department Notification No. EDN (TE) A(3)3 /2008 dated 25-2-2009 as required under Article 348 (3) of the constitution of India.]

TECHNICAL EDUCATION, DEPARTMENT
Vocational & Industrial Training

NOTIFICATION

Shimla-I/71002, 25th February, 2009

No. EDN(TE)A(3)3/2008.— 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

Head of Department (Computer Engineering) (Class-I ,Gazetted) in the Department of Technical Education, Vocational & Industrial Training, Himachal Pradesh as per Annexure-A attached to this notification, namely :—

1. Short title and Commencement.— (1) These rules may be called the Himachal Pradesh Technical Education , Vocational & Industrial Training Department, Head of Department (Computer Engineering) (Class-I Gazetted) Recruitment and Promotion Rules, 2009.

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

2. Repeal and saving.— (1) The Recruitment and Promotion Rules for the post of Head of Department (Computer Engineering) notified vide notification No. EDN (TE) A (3) 16/96 dated 18.10.1997 are hereby repealed.

(2) Not with standing such repeal any appointment made or any thing done or any action taken under the relevant rules so repealed under such rule(1) supra, shall be deemed to have been validly made, done or taken under these rules.

By order,
Sd/-

Pr. Secretary

Annexure-“A”

RECRUITMENT AND PROMOTION RULES FOR THE POST OF HEAD OF
DEPARTMENT COMPUTER ENGINEERING (CLASS-I, GAZETTED) IN THE
DEPARTMENT OF TECHNICAL EDUCATION, VOCATIONAL & INDUSTRIAL
TRAINING, HIMACHAL PRADESH

1. **Name of the Post.**— Head of Department (-Computer Engineering)
2. **Number of posts.**— 05 (Five)
3. **Classification.**— Class-I (Gazetted)
4. **Scale of Pay.**— Rs. 12000-375-13500-400-15900-450-16350/-
5. **Whether Selection Post or Non-selection.**— Selection.
6. **Age for direct recruitment.**— 45 years and below.

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 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 ad-hoc or contract appointment;

Provided further that upper age limit is relax able 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;

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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 constitution 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 who are/were finally absorbed in the service of such Corporations/Autonomous Bodies after initial Constitution 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 relax able at the discretion of the Himachal Pradesh Public Service Commission in case of candidate is otherwise well qualified.

7. Minimum Educational and other qualifications required for direct recruits.— **ESSENTIAL QUALIFICATION:** Ist Class M.E./M.Tech. in computer Engineering from a University /Institutions recognised by H.P./Central Govt. with five years. experience in teaching, Industry and research at the appropriate levels.

DESIRABLE QUALIFICATIONS : (i) Ph.D. in Computer Engineering /Technology with 5 Years experience in teaching / Industry and research at the appropriate levels shall be preferred.

(ii) Knowledge of customs, manners 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 **Educational 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 promotion failing which on secondment basis failing both by direct recruitment on regular basis or on contract basis.

11. **In case of recruitment by promotion, deputation, transfer, grade from which promotion deputation /transfer is to be made.**— By promotion from amongst the Senior Lecturer (Computer Engineering) who possess 03 years regular service or regular combined with continuous adhoc service rendered, if any, in the grade, failing which by promotion from amongst the Senior Lecturer(Computer Engineering)who possess 05 years regular service or regular combined with continuous adhoc service rendered, if any, in the grade,combined as Senior Lecturer(Computer Engineering) and Lecturer (Computer Engineering / Computer Application) out of which 02 years service as Senior Lecturer is essential failing both on secondment basis from amongst the incumbents of this post working in the identical pay scale from other H.P. Govt. Departments/ College / Universities.

(1) In all cases of promotion, the continuous adhoc service rendered in the feeder posts, 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 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/her 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/her in the respective category/post/cadre shall be deemed to be eligible for consideration and placed above the Junior persons in the field of consideration.

Provided further that all incumbents to be considered for promotions 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 junior 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 of such promotion.

Explanation—The last proviso shall not render the junior incumbent(s) in eligible for consideration for promotion if the senior ineligible persons happened to be Exservicemen recruited under the provisions of Rule-3 of the Demobilized Armed Forces Personnel (Reservation of vacancies in Himachal Pradesh 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 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, 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 of the R&P Rules.

Provided that inter-se-seniority as a result of confirmation after taking into account, adhoc service as referred to above 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 Himachal Pradesh 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 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 recruitment) .—(1) CONCEPT (a) Under this policy the Head of Department(Computer Engineering) in Department of Technical Education H.P. will be engaged on contract basis initially for one year, which may be extendable for two more years on year to year basis.

(b) **POST FALLS WITHIN THE PURVIEW OF H.P.Public Service Commission.**—The Principal Secretary (Tech. Edu.)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. Public Service Commission.**

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

(d) Contract appointee so selected under these Rules will not have any right to claim for regularization or permanent absorption in the Government job.

(II) CONTRACTUAL EMOLUMENTS: The Head of Department(Computer Engineering) appointed on contract basis will be paid consolidated fixed contractual amount Rs. 18000/- (which shall be equal to initial of the pay scale + Dearness pay). An amount of Rs. 375/- (equal to annual increase in the pay scale of the post) as per annual increase in contractual emoluments for the second and third years respectively will be allowed if contract is extended beyond one year.

(III) APPOINTING/DISCIPLINARY AUTHORITY: The Principal Secretary (Tech. Edu.) 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 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. **H.P. Public Service Commission.**

(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS: As may be constituted by the concerned recruiting agency i.e. the **H.P. Public Service Commission** 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 @ Rs.18000/- per month(which shall be equal to initial of the pay scale +dearness pay). The Contract Appointee will be entitled for increase in contractual amount @ Rs.375/- (equal to annual increase in the pay scale) per annum for second and third years respectively and no other allied benefits such as seniority/scale etc. shall be given.

(b) The service of the Contractual 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) Contractual appointment shall not confer any right to incumbent for the regularization in service at any stage.

(d) 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-imbursement and LTC etc. only maternity leave will be given as per rules.

(e) 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.

(f) Transfer of a contract appointee will not be permitted from one place to another in any case.

(g) 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.

(h) 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 the pay scale.

(VIII) RIGHT TO CLAIM REGULAR APPOINTMENT: The candidate engaged on contract basis under these Rules shall have no right to claim for regularization/ permanent absorption as Head of Department(Computer Engineering) in the Department at any stage.

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.—Every member of the service shall pass a departmental examination as prescribed in the Himachal Pradesh Departmental Examination Rules, 1997 from time to time.

18. Power to Relax.— Where the State Government is of the opinion that it is necessary or expedient to do so, it may, by orders for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission relax any of the provisions if these Rules with respect to any class or category of persons or posts.

