

[Authoritative English Text of the Department Notification No. Per (AP)-C-A (3)-1/2007-1, dated 24-12-2014 as required under clause (3) of Article 348 of the Constitution of India]

PERSONNEL (AP-III) DEPARTMENT

NOTIFICATION

Shimla-171002, the 24th December, 2014

No. Per (AP)-C-A (3)-1/2007-1.—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 **Junior Office Assistant (Information Technology), Class-III (Non-Gazetted) Ministerial Services** in various Departments of the Government of Himachal Pradesh as per Annexure-"A" attached to this notification, namely:—

1. Short title, commencement and application.— (1) These rules may be called the Himachal Pradesh, Department of Personnel, Junior Office Assistant, Class-III (Non-Gazetted), Ministerial Services, Common Recruitment and Promotion Rules, 2014.

(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 Departments of Himachal Pradesh, except Vidhan Sabha Secretariat, High Court of H.P. and H.P. Public Service Commission.

By order,
S.K.B.S. MEGLI,
Principal Secretary (Personnel).

Annexure A

Common Recruitment & Promotion Rules for the posts of Junior Office Assistant (Information Technology), Class-III (Non-Gazetted) in various Departments of Himachal Pradesh Government

- 1. Name of Post.**— Junior Office Assistant (Information Technology)
- 2. Number of Posts.**—As sanctioned by the Government from time to time in the concerned Departments.

3. **Classification.**— Class-III (Non-Gazetted) (Ministerial Services)

4. **Scale of Pay.**— (i) *Pay Scale for regular incumbents.*—Pay Band ₹ 5910-20200/- + ₹ 1950/- Grade Pay

(ii) **Emoluments for Contract Employees.**— ₹ 7860/- as per details given in Col. No. 15-A.

5. **Whether "Selection" post or "Non-Selection" Post.**—Not applicable

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 over-age 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 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 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 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.

Notes.—(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, 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 recruit(s).**—

(a) **ESSENTIAL QUALIFICATION:**— (i) 10+2 from a recognized Board of School Education/University.

(ii) One year Diploma in Computer Science/Computer Application/ Information Technology from a recognized University/Institution.

(iii) Computer typing speed of 30 words per minute in English or 25 words per minute in Hindi.

OR

- (i) 10+2 from a recognized Board of School Education/University.
- (ii) 'O' or 'A' level Diploma from National Institute of Electronics & Information Technology (NIELIT).
- (iii) Computer typing speed of 30 words per minute in English or 25 words per minute in Hindi.

OR

- (i) 10+2 from a recognized Board of School Education/University.
- (ii) Diploma in Information Technology (IT) from a recognized ITI/Institution.
- (iii) Computer typing speed of 30 words per minute in English or 25 words per minute in Hindi.

(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 promotees.—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(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.—100 % by direct recruitment on a regular basis or by recruitment on contract basis, as the case may be.

11. In case of recruitment by promotion secondment, transfer, grades 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.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 or other recruiting authority, as the case may be.

15-A. Selection for appointment to the post by contract recruitment.—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 Junior Office Assistant (Information Technology) in department of _____ (Name of the Department), H.P. 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/her period of contract is to be renewed/extended.

(b) **POST FALLS WITHIN THE PURVIEW OF HP SSSB.**—The HOD (Designation of the appointing authority) after obtaining the approval of the Government to fill up the vacant post(s) 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 prescribed in these & P Rules.

(II) CONTRACTUAL EMOLUMENTS.—The Junior Office Assistant (Information Technology) appointed on contract basis will be paid consolidated fixed contractual amount @ ₹ 7860 per month (which shall be equal to minimum of the pay band + grade pay). An amount of ₹ 236/- (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 Head of the Department (Designation of the appointing authority) 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 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. 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 contractual appointee will be paid fixed contractual amount @ ₹ 7860 per month (which shall be equal to minimum of the pay band + grade pay). The contract appointee will be entitled for increase in contractual amount @ ₹ 236/- (3% of minimum of the pay band + grade pay of the post) for further extended years and no other allied benefits such as seniority/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 appointee will also be entitled for 16 weeks maternity leave, 10 days medical leave and 5 days special leave. He/she shall not be entitled for medical re-imbursement and LTC etc. No leave of any other 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.

(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 12 weeks will stand temporarily unfit till the confinement is over. The women candidate will be re-examined for 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 counterpart officials 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 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 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 Junior Office Assistant (Information Technology) and the Government of Himachal Pradesh through _____
(Designation of the Appointing Authority).

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 of Himachal Pradesh through _____ (Designation of the Appointing Authority) 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 a Junior Office Assistant(IT) 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 Junior Office Assistant(IT) 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. on _____ and information notice shall not be necessary:

Provided that for further 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.

2. The contractual amount of the FIRST PARTY will be ₹ 7860/-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 engaged on contract.
4. Contractual Junior Office Assistant (Information Technology) 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 5 days special leave. He/she shall not be entitled for medical re-imbursement and LTC etc. No leave of any other kind except above is admissible to the Junior Office Assistant (IT):

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 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.

6. Junior Office Assistant (Information Technology) 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.

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/her official duties at the same rate as applicable to regular counter-part official at the minimum of pay scale.
9. The Employees Group Insurance Scheme as well as EPF/GPF 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)

(Signature of the SECOND PARTY)